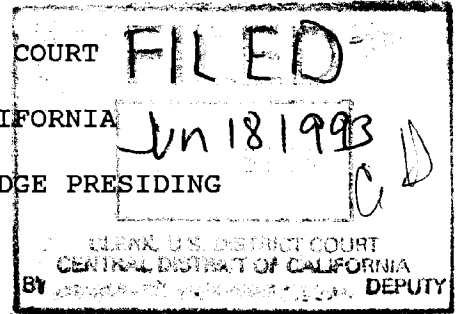


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1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3 HONORABLE EDWARD RAFEEDIE, JUDGE PRESIDING



4 * * * * *

6 UNITED STATES OF AMERICA,)
7 Plaintiff,)
8 vs.)
9 RAFAEL CARO-QUINTERO, et al.,)
10 Defendants.)

Case No. CR-87-422-ER

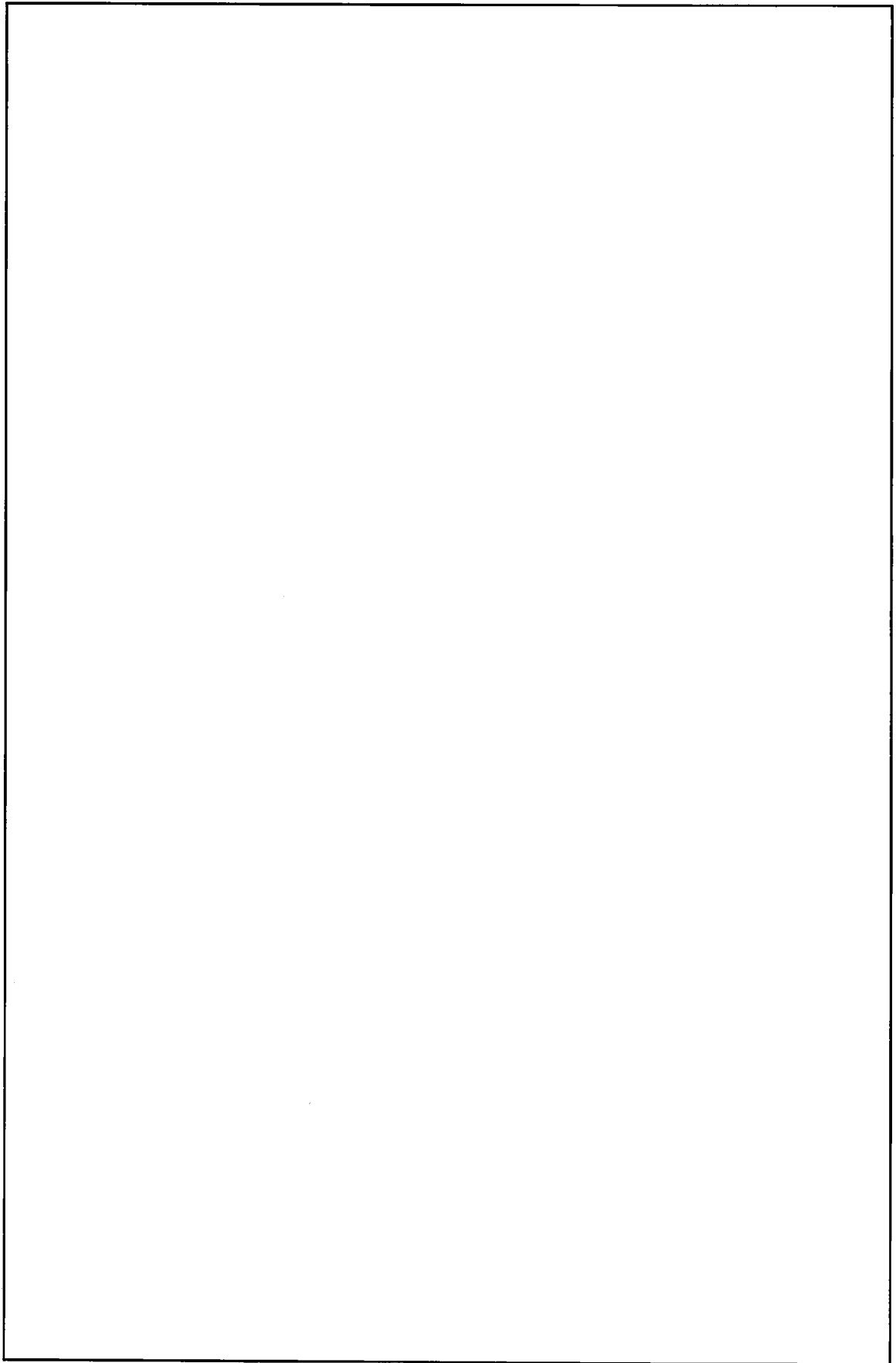
ORIGINAL

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16 REPORTER'S TRANSCRIPT OF PROCEEDINGS

17 LOS ANGELES, CALIFORNIA

18 THURSDAY, DECEMBER 8, 1992

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22 MARY TUCKER, CSR 9308
23 Official Court Reporter
24 429-D U.S. Courthouse
25 312 North Spring Street
Los Angeles, Calif. 90012
213/687-0530



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I N D E X

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
GODOY, JORGE				
By Mr. Carlton	4		936	
(Continued)				
By Mr. Medvene		850		
By Mr. Rubin		918		

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E X H I B I T S

EXHIBITS

FOR IDENTIFICATION

IN EVIDENCE

27A

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106

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109

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129

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134

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137

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172

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173

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1 LOS ANGELES, CALIFORNIA; TUESDAY, DECEMBER 8, 1992;

2 (9:30 AM)

3 (Jury in)

4 THE COURT: Good morning.

5 THE COURTROOM: Good morning.

6 THE COURT: Proceed, Counsel.

7 MR. CARLTON: Just for the record, I don't believe
8 that Exhibit 27A, the D.F.S. credential, was admitted. I
9 would move its admission at this time.

10 THE COURT: It may be admitted.

11 (Exhibit 27A received in evidence)

12 DIRECT EXAMINATION (Continued)

13 BY MR. CARLTON:

14 Q Mr. Godoy, I believe in front of you are two
15 photographs that have been marked Exhibits 133A and B.
16 Would you please look at those.

17 A Yes.

18 Q Do you recognize those photographs?

19 A Yes.

20 Q What are they?

21 A It is the American Motors Hotel.

22 Q Where is that located?

23 A On Lopez Mateos Avenue, almost to the corner of
24 Mariano Otero. It's across from Plaza del Sol.

25 Q You can put the top photograph 133A on the ground next

1 to you, if you would.

2 Have you ever attended a meeting at that location?

3 A Yes.

4 Q When did that occur?

5 A It was in the year of 1984 between September and
6 October.

7 Q Did anybody else go with you to that meeting?

8 A Yes.

9 Q Who went with you?

10 A Ernesto Fonseca-Carrillo; Samuel Ramirez-Razo; Javier
11 Barba; Eleseo Vasquez-Velasco; Antonio Vasquez-Velasco;
12 Juan Bernabe; Rene Lopez; Ernesto Piliado Garza; Abelardo,
13 the engineer, with the group of the sleeping ones; Ezequiel
14 Godinez, known as El Primo, the cousin. Roberto Zepeda,
15 Jose Guadalupe Valencia, Jose Guadalupe Torres-Hernandez
16 and Jorge Fonseca-Urbe, El Gueron, Antonio Campos, and
17 some other colleagues.

18 Q Did you go there in automobiles?

19 A In several automobiles.

20 Q Now, which automobile did Ernesto Fonseca travel in?

21 A In a beige, armored Grand Marquis.

22 Q Did you travel in that vehicle?

23 A No. I was in a black Carry-All Ford. Ramiro Perez,
24 my colleague, was driving, and I was on the right side.

25 Q Which automobile went first?

1 A Fonseca Carrillo's Grand Marquis.

2 Q When you arrived at the hotel what did all of these
3 automobiles do?

4 A We stopped before the entrance on the side street to
5 Lopez Mateos Avenue.

6 Q What happened then?

7 A Ernesto Fonseca got out and I got out of the van to
8 follow him and to provide security for him. Then there in
9 the medium there was another person waiting.

10 Q What happened at that point?

11 A He interviewed the person, and the person was Jorge
12 Garma. He is a Mexican army lieutenant colonel.

13 Q Where were you at this point?

14 A Two meters away guarding, watching out for Ernesto
15 Fonseca.

16 Q Where were all of these other people who went with
17 you?

18 A Samuel Ramirez-Razo ordered that we open up in a
19 circle to protect all the points in the area.

20 Q Now, while Fonseca was talking to Jorge Garma could
21 you hear what they are saying?

22 A Yes.

23 Q What did you hear?

24 A They greeted each other. And Jorge Garma said to the
25 man, the gentleman, that the generals were about to arrive.

1 And Ernesto Fonseca said, "That's fine, please bring them."

2 Then later Fonseca made an about turn and I
3 followed him.

4 Q Where did you go?

5 A We went into the facilities for parking at the
6 American Motors Hotel.

7 MR. CARLTON: Your Honor, may I ask permission for
8 the witness to hold up the photographs of the hotel and
9 indicate to the jury where they went.

10 THE COURT: No.

11 BY MR. CARLTON:

12 Q When you went into the parking area what happened
13 there?

14 A Mr. Felix Gallardo came out, and he spoke with Ernesto
15 Fonseca and said that he had the rooms ready; and after
16 that we went into the rooms in the hotel.

17 Q What rooms?

18 A There in back the suites, suites and a bedroom.

19 Q Now, what floor were these rooms on, the suite?

20 A The same area as the parking.

21 Q That's the first level?

22 A Yes.

23 Q How many doors were there into this suite?

24 A One door goes into the main room and the other one
25 into the bedroom, the adjacent room. Once you go in, half

1 way along the wall that divides the rooms, there is another
2 door.

3 Q So when you walked into the suites which door did you
4 enter there?

5 A Through the left side, the main one.

6 Q How many doors were there into this suite?

7 A Can you repeat the question.

8 Q How many doors into this suite were there?

9 A There were two doors, the main ones and another door
10 half way down.

11 Q As you walked into this suite through the left door
12 what did you see?

13 A First I saw like the living room, reception area, and
14 in the middle there was a bar and in the back a large
15 bedroom and to the rear, to the right, the door to the
16 bathroom.

17 Q Was there another room in this suite?

18 A Yes.

19 Q How did you get into that room?

20 A As you went into the suite, to the right side there
21 was a door that communicated to the adjacent bedroom to the
22 right.

23 Q Now when Ernesto Fonseca walked into this suite what
24 did you do?

25 A Samuel Ramirez-Razo asked me to help him get some

1 things out of the Grand Marquis automobile.

2 Q What did he want you to help him with?

3 A To get some bottles of Cognac, cocaine, some
4 cigarettes.

5 Q Did anyone else help you?

6 A Ramiro Perez-Arrellano. And then after that we went
7 into the bedroom.

8 Q Which bedroom?

9 A To the main suite and I put the cognac, the bottles of
10 cognac, on the bar and then I continued to the contiguous
11 bedroom.

12 Q Now what did you see when you returned to the other
13 bedroom?

14 A Vasquez-Velasco, the Freelanders, was in there and the
15 Italian.

16 Q What were they doing?

17 A And Ramiro Perez-Arrellano they were already preparing
18 base cigarettes.

19 Q What was your job?

20 A I had to be watching to make sure none of the guys
21 approached, and at the same time taking some chairs from
22 the room into the adjacent room, and Samuel Ramirez had
23 told me to put up ice buckets with ice and glasses for the
24 people they were awaiting.

25 Q Now did you see anyone else in this main room at any

1 time?

2 A Yes.

3 Q Who?

4 A I saw Rafael Caro-Quintero arrive, along with Paco
5 Tajeda, Juan Jose Contreras-Subias, Miguel Juarez-Medina,
6 the Phantom. The phantom is a different person. And Amado
7 Beltran. Manuel Salcido-Uzueta.

8 Q Is that Cochiloco?

9 A Yes.

10 A Sergio Salcido-Uzueta, and General Arevalo Gardoqui.

11 Q Let me stop you there for a moment, Mr. Godoy.

12 At the time that you knew Caro-Quintero did he
13 have a mustache?

14 A Yes.

15 Q I would ask you to look at just below that photograph
16 of the hotel, at what has been marked as Exhibit 173.

17 A Yes.

18 Q Do you recognize that photograph?

19 A Yes.

20 Q Who is that?

21 A Rafael Caro-Quintero.

22 MR. CARLTON: Move the admission of 173, Your
23 Honor.

24 THE COURT: It may be admitted.

25 (Exhibit 173 received in evidence)

1 BY MR. CARLTON:

2 Q Where were you when Arevalo Gardoqui arrived?

3 A I was at the entrance to the other contiguous room.

4 Q Did he arrive with anyone else?

5 A With General Santoyo-Feria, Jorge Garma, and some
6 other military people.

7 Q Did you see anyone else arrive?

8 A Yes. Ruben Zuno-Arce with Miguel Aldana.

9 Q I would ask you to look at what has been marked
10 Exhibit 109.

11 A That's Mr. Miguel Aldana-Ibarra. He was at that time
12 Interpol Chief.

13 Q And did you see anyone else arrive?

14 A Mr. Enrique Alvarez del Castillo, with Benjamin Ochoa,
15 Mr. Manuel Bartlett-Diaz, with Sergio Espino-Verdin.

16 Q Mr. Godoy, would you look at what has been marked as
17 Exhibit 129.

18 A That's Mr. Enrique Alvarez del Castillo.

19 MR. CARLTON: Move the admission of 129 and also
20 109.

21 THE COURT: All right. They may be admitted.

22 (Exhibit 109 and 129 received in evidence)

23 BY MR. CARLTON:

24 Q Now, you mentioned an individual named Manuel
25 Bartlett-Diaz?

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1 A Yes. He was then minister of the home office or
2 office of the interior.

3 Q How did you recognize him?

4 A Because previously we had seen him on the TV news and
5 in the newspapers.

6 Q I'd ask you to look at what has been marked Exhibit
7 134, if you would.

8 A That's the gentleman Manuel Bartlett-Diaz.

9 MR. CARLTON: Move the admission of 134, Your
10 Honor.

11 THE COURT: It may be admitted.

12 (Exhibit 134 received in evidence)

13 BY MR. CARLTON:

14 Q What else did you see?

15 A Another person who was known as the black one, El
16 Negro.

17 Q I would ask you to look at what has been marked as
18 Exhibit 106. Do you recognize that exhibit?

19 A Yes.

20 Q Who is that?

21 A El Negro.

22 MR. CARLTON: Move the admission of 106.

23 THE COURT: It may be admitted.

24 (Exhibit 106 received in evidence)

25 BY MR. CARLTON:

1 Q Were you able to hear what these people said while
2 they were in the room?

3 A Yes.

4 Q And what was your job at this point?

5 A I was supposed to be taking care of everybody.

6 Q Where did you situate yourself?

7 A By the door in the middle which interconnects the two
8 rooms.

9 Q Did all of these people have a meeting?

10 A Yes, inside and there were others outside.

11 Q Do you recall anything that was said at this meeting?

12 A The drug traffickers started to argue and to ask
13 Ernesto Fonseca-Carrillo and Rafael Caro and they were
14 asking Miguel Aldana what was going on with the D.E.A.
15 agent, why they were losing so many fields, and they
16 weren't respecting all of that money that they were giving
17 them.

18 They said to Aldana, "Have you already talked to
19 the D.E.A. person?"

20 And Aldana answered that he had gone to speak with
21 him, but that he didn't want to accept the deal. He didn't
22 want any deal with the drug traffickers.

23 And then Ruben Zuno-Arce said that if the D.E.A.
24 agent didn't want to take anything or didn't want any deal
25 then it was time to drop him.

1 Q Excuse me, Mr. Godoy. What did you understand that to
2 mean?

3 A That would be to kidnap him and to kill him.

4 Q Now, did you hear anything else that was said at this
5 meeting?

6 A Mr. Manuel Bartlett-Diaz, he was telling the drug
7 traffickers that a solution would have to be made, found
8 very soon, because he was going to be politically affected.

9 And Mr. Enrique Alvarez del Castillo, as governor
10 of the State of Jalisco, said that the solution had to be
11 quick, otherwise they were going to discover all the
12 support he was giving to the drug traffickers in the State
13 of Jalisco.

14 And Mr. Arevalo Gardoqui said, "I can't do
15 anything. I have to do what my job is. I had to continue
16 to destroy the fields because I had a lot of pressure from
17 the United States and from the D.E.A. people here.

18 Manuel Bartlett-Diaz then spoke again, and he said
19 that the solution would have to be quick because they were
20 going to discover that he was signing the interior
21 department credentials that the drug traffickers were
22 carrying. And that if this came to light, it was going to
23 affect his candidacy to the government of Mexico.

24 Q At some point did you leave these rooms?

25 A Yes, because the situation in there was getting very

1 hot. They were all arguing and getting together to
2 conspire.

3 And Samuel Ramirez-Razo and then he saw me there
4 and then he asked me to go outside and to check on all of
5 the guards and all of their positions to make sure they
6 maintained them and they remained alert.

7 Q Did you do that?

8 A Yes, I did.

9 Q And did you speak with anyone out there?

10 A Yes, I did. I greeted the director of the judicial
11 police, Mr. Carlos Aceves and Commander Gabriel
12 Gonzales-Gonzales, and the special address state
13 prosecutors, Edgar Levi Gallardo, Armando Cuellar, Jorge
14 Larios. They asked me what is going on inside. And I told
15 them that the money wasn't sufficient for the protection of
16 the fields.

17 Q At some point, Mr. Godoy, did you see the people who
18 were inside this meeting leave?

19 A Yes.

20 Q How long, approximately, did that meeting last?

21 A Between 45 minutes and an hour until I left.

22 Q Had you ever heard of the D.E.A. at the time of this
23 meeting?

24 A No.

25 THE COURT: You've answered the question.

1 BY MR. CARLTON:

2 Q Did you make any efforts to find out what it was?

3 A Yes. I asked Samuel Ramirez-Razo.

4 Q Did he tell you what it was?

5 A Yes. I asked him what is the D.E.A., and Samuel
6 Ramirez-Razo answered that it was an agency to combat drugs
7 similar to the F.B.I. and the C.I.A., as an example.

8 Q Now, did you ever attend or see another meeting at
9 which the D.E.A. was discussed?

10 A Yes.

11 Q And when was the next such meeting?

12 A At one of Ernesto Fonseca's houses.

13 Q And how can you identify this house?

14 A It was near Mar-Mara and Jardines Del Country.

15 Q I'd ask you to look at what has been marked Exhibit
16 135.

17 A Yes.

18 Q Do you recognize that?

19 A Yes. That's the Mar-Mara house.

20 Q The one you've just described?

21 A Yes.

22 Q What happened at this house?

23 A We had already been there for about two days, and
24 Rafael Caro-Quintero had arrived that day, and Javier Barba
25 and Abelardo, the engineer.

1 Q May I ask when was this in relation to the meeting at
2 the hotel?

3 A About two weeks.

4 Q Afterwards?

5 A Yes.

6 Q So what happened?

7 A Then when all the drug traffickers were there meeting.
8 They ordered us to go into the rooms or into the kitchen
9 because some people were going to arrive whom they didn't
10 want us to see.

11 Q Where did you go then?

12 A To the kitchen.

13 Q Even though you were in the kitchen were you able to
14 see other parts of the house?

15 A Yes. I could see the entry from the right side, and
16 to the left I can see the living room and the study.

17 Q How was it you were able to see these places from the
18 kitchen?

19 A In the kitchen there is a swinging door with a round
20 glass window. And through there I could see to one side
21 and to another.

22 Q Now were there any other people in the kitchen with
23 you?

24 A Yes.

25 Q Who?

1 A Ernesto Piliado-Garza, Juan Bernabe, Rene Lopez,
2 Guadalupe Lopez-Hernandez, the petunia, and some other
3 colleagues.

4 Q And you mentioned there was a living room and a study.
5 What was the configuration of those rooms?

6 A To the left is a living room and adjacent to that the
7 study. But the whole area is together connected by granite
8 passageway.

9 Q While you were in the kitchen did you see anyone else
10 arrive at the house?

11 A Several other people arrive.

12 Q Who?

13 A Enrique Alvarez del Castillo, Mr. Ruben Zuno, Carlos
14 Hernandez, and Commander Gabriel Gonzales-Gonzales,
15 Commander Jose Maria Carlos-Ochoa, Francisco Ramos-Ramos,
16 and the special dressed public prosecutors, and Edgar Levi
17 Gallardo, Armando Cuellar-Lopez, and Jorge Larios-Valencia,
18 and other people I don't remember.

19 Q Where did these people go, if you could tell?

20 A To the area of the living room.

21 Q While they were there and you were in the kitchen
22 could you overhear anything that was said in the living
23 room?

24 A Yes.

25 Q What was it you heard?

1 A Rafael Caro-Quintero asked Enrique Alvarez del
2 Castillo whether they already had all the information about
3 the D.E.A. And Alvarez del Castillo answered, "I already
4 have my people working."

5 Caro-Quintero got angry. He got very angry and
6 said, "Give me all of the information about these people
7 very soon so I can solve this problem with these D.E.A.
8 people."

9 And the governor seemed to be affected and Rafael
10 continued to pressure him, asking him for all the data.

11 And Mr. Zuno said, "Calm down, Rafael. Can't you
12 see that the governor is already getting us all of the
13 information. This operation has to be done properly and
14 calm, and it has to be properly planned so that everything
15 works out properly."

16 And then after that, Ernesto Fonseca, seeing how
17 the situation had gotten so heated up, he said to Samuel
18 Ramirez-Razo, "Please hand me the present that we have for
19 the governor." It was an AK47. It was gold colored and
20 engraved.

21 Q Had you ever seen this gun before?

22 A Etched.

23 Q Had you ever seen this gun before?

24 A Yes.

25 Q When?

1 A When the brother-in-law of Ernesto Fonseca had
2 delivered that weapon to Ernesto Fonseca at another time,
3 because the brother-in-law was in charge of plating them in
4 gold and in silver and doing the engraving. And Ernesto
5 Fonseca saw this too pacify the situation. He gave that
6 present to the governor.

7 At that time when he was handing it to him, Rafael
8 Caro-Quintero went into the kitchen. Then when we saw him
9 returning, we retreated from the kitchen so that he
10 wouldn't see that we were there seeing what was going on.

11 And Rafael came in very angry. He said, and he
12 was shouting saying, "I don't want to become famous. This
13 is going to be a very difficult fight. And I'd rather you
14 guys become the famous ones because I'm under a lot of
15 pressure."

16 Q What happened then?

17 A Then we noticed that all the people who had been there
18 were leaving, and Enrique Alvarez del Castillo put on the
19 AK47 on his right side, and then he left there.

20 And then when all of the people had left and only
21 the drug traffickers were left, Rafael Caro left and went
22 towards the living room where the group of drug traffickers
23 were. And after that I went out to the parking area.
24 Then I don't know anything else about what happened inside
25 there.

1 Q You ever hear, while you were working for the Fonseca
2 organization, any reference to El Bufalo?

3 A Yes.

4 Q What was it you heard about that?

5 A That there was a very large planted field, and if that
6 field were successful that it was going to make a lot of
7 money. I heard that at a very large estate by Puerta
8 Grande. It was at the party when the Dr. Antonio Fonseca
9 was married.

10 And later we were at the aqueduct plant.

11 Q Let me draw your attention to Exhibit 136, if I might.
12 Do you recognize that?

13 A Yes. That's the aqueduct plant which is near the
14 University of Guadalajara.

15 Q Was that a residence of some sort?

16 A Yes. Ernesto Fonseca-Carrillo, one of many he had.

17 Q And what happened there that you were just describing?

18 A All of Ernesto Fonseca's body guards, including me,
19 were there because the Senor was not there and neither was
20 Samuel Ramirez-Razo.

21 And then about eight or nine at night the phone
22 rang and I happened to answer it. They were asking for Mr.
23 Fonseca. They asked whether he was inside. I said, "Who
24 wants him?" And he said, "The phantom."

25 I said, "No. He's not here right now. This is

1 Godoy."

2 He said, "Well, get in touch with him. It's
3 urgent because the El Bufalo has already gone down. The
4 army has already arrived. They made many arrests."

5 And the phantom had managed to leave, and that's
6 the way he managed to speak on the phone. Later I got on
7 the walkie-talkie to Sammy, and I asked him to call me on
8 the phone to the aqueduct camp and he did.

9 Then when he called me I told him about the
10 Phantom calling from the Bufalo in Chihuahua. And I said
11 it was worth nothing.

12 Q Now, Mr. Godoy, let me draw your attention to what has
13 been marked Exhibit 172.

14 A Yes.

15 Q Do you recognize that?

16 A It's the Quinta at Tonalá. It belongs to Javier
17 Barba.

18 Q Did you ever attend a meeting at that location in
19 relation to the D.E.A.?

20 A Yes.

21 Q When did that occur?

22 A Around the end of October of 1984.

23 Q And did any other people go with you to that location?

24 A Yes.

25 Q Who?

1 A Ernesto Fonseca; Samuel Ramirez-Razo; Ramiro
2 Perez-Arrellano; Rene Lopez; Jose Guadalupe Valencia; Jorge
3 Fonseca-Uribe, El Gueron; Roberto Zepeda; Rene
4 Lopez-Romero; Juan Bernabe; and El Primo; Antonio
5 Vasquez-Velasco, the Freelander; and several other
6 colleagues.

7 Q How many cars went to this location?

8 A We were in three cars, vehicles.

9 Q Now when you got to this location how did you enter
10 it?

11 A We went through a side entry to the Quinta.

12 Q Let me stop you there. Would you please look at what
13 has been marked as Exhibit 137.

14 A Yes.

15 Q And do you recognize that?

16 A Yes. It's La Quinta de Tonalá belonging to Javier
17 Barba.

18 MR. CARLTON: Your Honor, I would move the
19 admission of this exhibit and the prior one, 137 and 172.

20 THE COURT: They may be admitted.

21 (Exhibits 137 and 172 received in evidence)

22 MR. CARLTON: May the witness step down from the
23 stand for a moment to indicate various places on the
24 photograph that he may be talking about.

25 THE COURT: Yes.

1 BY MR. CARLTON:

2 Q Mr. Godoy, would you please step over to the
3 photograph.

4 Could you please indicate with your hand what this
5 property consists of.

6 A This is the main entry from Tonalá Avenue
7 (indicating). This is the side entry to the left
8 (indicating), and we went in here through this large door.
9 Here he had cattle. He had Brahma bulls. And at that
10 time this area was in construction. Ernesto Fonseca with
11 his Grand Marquis car stopped here. And we in the
12 Carry-Alls, the one I was going in, the black one, we
13 stopped here on this left side (indicating), and the other
14 Carry-All van stopped behind us.

15 Ernesto Fonseca and Samuel got out. Here at the
16 entrance Javier Barba was already waiting with Vasquez
17 Velasco, the Freelander, and the Italian. After that they
18 greeted one another, and I personally greeted Javier Barba
19 and the Freelander.

20 At that time, the doors were still opened because,
21 as I said, they were building there and then another Grand
22 Marquis came in and it stopped behind the Senor's car.

23 Mr. Ruben Zuno-Arce came out of the rear Grand
24 Marquis with Miguel Aldana and after that they greeted one
25 another. And they headed along the left side here

1 (indicating).

2 And Samuel Ramirez-Razo ordered the other people
3 in the group to go to the game room. There were pool
4 tables there and also little toy football games. And there
5 was a large bar with many drinks.

6 And Samuel Ramirez asked me to help him with a
7 briefcase. Then we walked behind the group of Javier Barba
8 and Ernesto Fonseca, Ruben Zuno-Arce and Miguel Aldana.

9 Here is the room where Javier Barba slept
10 (indicating). And right next to it there is a large room,
11 and next to it another room. And then there was another
12 room there where you could play handball, a handball court.

13 Q Mr. Godoy, you can return to the seat now.

14 Now what was it you did when you entered this
15 house?

16 A I went to Samuel Ramirez-Razo carrying a briefcase.
17 We went through the living room and into the adjacent room.

18 Q What was in this briefcase?

19 A Cocaine and cigarettes and a modica for preparing
20 base.

21 Q What is "base"?

22 A Base is a cocaine derivative, derivative which you mix
23 with a cigarette, with tobacco, and it is smoked.

24 Q So what happened next?

25 A Samuel Ramirez-Razo asked me to remain there with

1 Vasquez Velasco, the Freelandier.

2 Q Where was it he asked you to remain?

3 A To a room that was adjacent to the living room.

4 Q What were you suppose to do there?

5 A I was going to be guarding the cocaine to make sure
6 that no one stole it, with Vasquez Velasco and the Italian.

7 And then Samuel Ramirez went out into the living
8 room. Then I noticed for a couple of minutes that they
9 were in there preparing the cigarettes and since before the
10 Italian and I had -- there had been some friction between
11 the Italian and myself before.

12 Q What happened?

13 A The Italian said, "What the fuck are you doing here?
14 That's Javier Barba's house." He said, "Get out of here."

15 Q What did you do?

16 A Then I picked up the briefcase with the cocaine and
17 said, "Excuse me," and left.

18 Then I went into the living room where Samuel
19 Ramirez-Razo and Ernesto Fonseca were and Ruben Zuno, then
20 after I was inside the room, I saw Mr. Bartlett-Diaz and
21 Sergio Espino-Verdin and Enrique Alvarez del Castillo.

22 Q Then what happened?

23 A There they were arguing about what had happened with
24 the people from the D.E.A.

25 Q What were you doing?

1 A Samuel ordered me -- while I told Samuel that the
2 Italian had thrown me out of the room. He said, "Stay here
3 at the door to make sure that the other guys don't
4 approach."

5 And in the middle there is a garden and there was
6 a gardener there who was cutting the grass and he didn't
7 want him to approach either so that he wouldn't listen to
8 what they were talking about.

9 At that time I heard Rafael Caro-Quintero, he
10 said, "What is happening with that dick of the D.E.A.? Why
11 hadn't he gotten all of the data, all of the information."

12 Q Who was he talking to?

13 A Miguel Aldana. The whole group that was present there
14 was talking.

15 Q Did you hear anything else?

16 A I heard Ruben Zuno say, "That fucking Gringo. What is
17 he doing here in Mexico? It's not his fucking country. We
18 have to pick him up."

19 And also Enrique Alvarez del Castillo was arguing
20 for a prompt solution. At that time everybody was getting
21 high drinking and smoking base cigarettes.

22 The Italian went out and bought a pack of
23 cigarettes and he said, "What the fuck are you doing here?"
24 He said, "Go away from here."

25 Q He was talking to you?

1 A Yes. And Samuel Ramirez-Razo heard that. He says,
2 "You better go there where the guys are and tell them to
3 just remain there alert."

4 So then I went over to the game room where they
5 were playing pool and I saw the guys there and they said,
6 "What is going on?" I told them the same thing about the
7 D.E.A.

8 Q How long did you stay there?

9 A We were there for about 40 minutes.

10 Q And did you see anybody leave?

11 A All of the politicians who arrived left. From the
12 game room they have some large windows and from there you
13 have perfect vision to see outside.

14 Q Did you attend any other meetings at which the D.E.A.
15 was discussed?

16 A Yes.

17 Q When was the next occasion?

18 A At the beginning of the month of December.

19 Q And did anyone else go with you to this meeting?

20 A Yes. We were at one of Ernesto Fonseca's houses over
21 by the Loma Bonita Apartments, and then Samuel and Ernesto
22 Fonseca came out and said, "Godoy, come along with us."
23 And the rest of the groups in the vans.

24 So then I got into the Grand Marquis with them and
25 we left. Then at that time Samuel on the walkie-talkie was

1 talking with -- he was asking where was the meeting to be?
2 Was it going to be at the Tonalá estate?

3 And he said, "No, it's going to be at the office,
4 before you arrive at the Tonalá estate."

5 Then heading along the road towards Tonalá, Samuel
6 pulled over and stopped and he said to the others guys and
7 the other cars to wait right there and to be very alert and
8 ready and from there we left.

9 Then we arrived at a large gate, and Samuel
10 Ramirez hit the horn and then someone who was wearing a
11 little cap opened up the big doors and he had a rifle and a
12 pistol and we went inside.

13 Q Let me stop you there for a moment. I'd ask you to
14 look at a photograph that's been marked 139A. Do you
15 recognize that?

16 A Yes. That's the office. It's there on the street of
17 Felice Avenue (phonetic) and the highway to Tonalá.

18 Q That's the house, the location you've just been
19 describing?

20 A Yes. It was Javier Barba's house.

21 Q All right. And I'd like you to look at the photograph
22 that has been marked 164. Do you recognize that
23 individual?

24 A Yes. He has a sunken forehead. He was the person who
25 opened the door to us.

1 Q Had you known him before this occasion?

2 A Yes.

3 Q How so?

4 A He was on the anti riot detail facing our office.
5 Once we had a problem at a restaurant, he and I.

6 Q Now, I'd also like you to look at what has been marked
7 as Exhibit 171. Does that photograph mean anything to you?

8 A Yes.

9 Q What does it depict?

10 A The office and the Quinta.

11 MR. CARLTON: Move the admission of this
12 photograph, Your Honor, and ask permission for the witness
13 to step down from the stand and indicate to the jury where
14 on this photograph the office is and where the Quinta is.

15 THE COURT: You may do so.

16 THE WITNESS: This is the highway to Tonalá.
17 And this is the Felice Avenue. This is the office which is
18 a block away from the Quinta. Both belong to Javier Barba.

19 BY MR. CARLTON:

20 Q You may return to the stand.

21 After you entered the gate at this location, what
22 did you do?

23 A The Senor got out and Samuel Ramirez and I, too,
24 behind them. Then we entered towards the house and Samuel
25 Razo with his hand indicated that I should wait. And I

1 stopped at the entrance. And at that time I heard that
2 another car was sounding its horn at the door. They opened
3 up and another white Grand Marquis with darken windows
4 came. And Benjamin Locheo was driving.

5 And on the other side Enrique Alvarez del
6 Castillo, the governor, quickly alighted.

7 Q And what happened that you saw?

8 A He came out and ran in very fast or almost running and
9 shouting.

10 Q Where were you?

11 A There at the door, I had to move to one side so he
12 could go in.

13 Q Was anyone in this room that he was entering?

14 A There were quite a few people there already.

15 Q Anyone you can recall?

16 A Ralph Caro-Quintero, Mr. Ruben Zuno, Miguel Aldana,
17 Manuel Salcido-Uzueta, Juan Gilberto Hernandez-Parra,
18 Miguel Aldana, and other people who were inside there.

19 Q Were you able to hear what Enrique Alvarez del
20 Castillo said as he went past you?

21 A He went in shouting: Couldn't they handle that
22 fucking Gringo? If not, that he would have to do
23 everything.

24 Q Did you hear anything else?

25 A He was addressing rather Rafael Caro-Quintero. And

1 Rafael answered, "You can see, sir, that we are already
2 working. You already saw that we shot at a D.E.A. car and
3 it escaped."

4 Q What else happened, if anything?

5 A Then after that Ruben Zuno-Arce, because then there
6 was more discussion, and Miguel Aldana what asking what was
7 happening with the information, why didn't they have the
8 information.

9 THE COURT: Question.

10 BY MR. CARLTON:

11 Q Did anyone else say anything that you heard?

12 A Then at that point they were all kind of high and they
13 all wanted to pick up the people from the D.E.A., and I
14 preferred to get away from there, everything was heating up
15 quite a bit. They were very nervous, very angry.

16 Then Ernesto Fonseca and Samuel Ramirez-Razo came
17 out and we got into the Grand Marquis and we left, and we
18 went over to where our colleagues were standing and then on
19 the walkie-talkies he said "follow us." Then we went up to
20 the central market.

21 Q Now, Mr. Godoy, at some point did you stop working for
22 the Fonseca organization?

23 A Yes.

24 Q About when was that?

25 A At the beginning of the month of December, more or

1 less right after that meeting.

2 Q What was it that you did?

3 A I left them and went to the town of San Juan de Los
4 Lagos.

5 Q Did you have medical problems?

6 A Yes, my back.

7 Q What were you doing about those?

8 A We were at the Loma Bonita apartments and Dr. Altonio
9 Fonseca saw that I was hurting. He took me to a doctor to
10 check me out and to after that take medicine.

11 Q Now, how long did you stay in San Juan de Los Lagos?

12 A Through Christmas and New Years.

13 Q And then where did you go?

14 A I returned to my home in Guadalajara.

15 Q And how long did you stay there?

16 A Almost the whole month of January.

17 Q Did there come a time when you got back in touch with
18 the Fonseca group?

19 A Yes.

20 Q Why?

21 A Cause I needed money. I had no means of support any
22 more.

23 Q What was it that you did to get back in touch with
24 them?

25 A I called Ernesto Piliado-Garza, and I asked them if

1 they had given their Christmas and New Years' money. He
2 said they had. He said if you like, why don't you come
3 over and we'll talk to Senor and see if they give you
4 something, since I needed money for my chiropractic
5 treatments for my back.

6 Q So did you go back?

7 A Yes. Around the end of January of 1985.

8 Q Did you meet with Ernesto Fonseca at that time?

9 A That day I did, in the morning.

10 Q What did he tell you to do?

11 A I just arrived and greeted and he greeted me and he
12 said he'll be with me in a moment. And then I went out to
13 the parking area at the Loma Bonita apartments. Then after
14 that they came out and Ernesto Rafael and Samuel
15 Ramirez-Razo.

16 Q When you refer to Ernesto Rafael is that Ernesto
17 Fonseca?

18 A Yes. His whole name is Ernesto Rafael
19 Fonseca-Carrillo.

20 Q And then what happened?

21 A They ordered us into the cars and that we should
22 follow them. So we left the Loma Bonita apartments and
23 headed along Lopez Matoes to arrive at the La Langosta
24 Restaurant.

25 Q I'd ask you to look at what has been marked as Exhibit

1 138. Do you recognize that photograph?

2 A Those are Loma Bonita.

3 Q I'd like you to look at Exhibit 140A.

4 A That's La Langosta.

5 Q Had you ever been to this restaurant on prior
6 occasions?

7 A Yes. I had gone to pick up seafood for Ernesto
8 Fonseca and after that we had gone there to eat there with
9 Ernesto Fonseca.

10 Q When you arrived on this occasion that you are
11 describing, what happened?

12 A We arrived and went inside; and as we entered, Ernesto
13 Fonseca went over to the right side table and he said that
14 all of us could have something to eat and something to
15 drink. And Ernesto asked the person in charge of the
16 restaurant whether Caro had arrived. He said he'd be there
17 presently.

18 Then a little while Rafael Caro showed up with all
19 of his retinue of guards.

20 Q And where were you while this was happening?

21 A I was at the bar by the entrance.

22 Q What kind of doors did this restaurant have?

23 A The short, swinging doors, the ones that open out to
24 the side.

25 Q Did you see anyone else arrive while you were there?

1 A Javier Barba with Eleseo Vasquez-Velasco, the
2 Freelander.

3 Q Do you know an individual named Javier
4 Vasquez-Velasco?

5 A He was from that same Freelander group.

6 Q Was he present also?

7 A Yes.

8 Q What else happened?

9 A After that, Ruben Zuno arrived with another person. I
10 don't remember who it was.

11 Q What did he do?

12 A Then he sat down there with Ernesto Fonseca, Rafael
13 Caro-Quintero and Javier Barba and Eleseo Vasquez-Velasco,
14 and Mr. Zuno was serving them. He was bringing them some
15 Pacifico beers.

16 Q And Eliseo Vasquez did he do something at this point?

17 A Yes. He very cordially greeted with Zuno.

18 THE COURT: We will take our morning recess at
19 this time.

20 (Recess had)

21 THE COURT: Proceed.

22 BY MR. CARLTON:

23 Q Mr. Godoy, after this meeting at the La Langosta
24 Restaurant did you return to your house?

25 A Yes.

1 Q And did you continue to work for Ernesto Fonseca?

2 A Yes, a while later.

3 Q When was it that you went back to work for Ernesto
4 Fonseca?

5 A More or less at the end of February.

6 THE COURT: What year?

7 THE WITNESS: 1985.

8 BY MR. CARLTON:

9 Q So how much time past from this incident at the La
10 Langosta Restaurant until you actually went back to work
11 for Ernesto Fonseca?

12 A Approximately a month.

13 Q Why did you stay away so long?

14 MR. RUBIN: Objection; relevance.

15 THE COURT: Sustained.

16 BY MR. CARLTON:

17 Q How was it that you went back to work for Ernesto
18 Fonseca?

19 A Because Rene Lopez-Romero went to get me out of the
20 house. He told me that El Senor was calling me. And he
21 told me I better go because they were using all of the
22 people. Eventually I went with Rene Lopez and with Roberto
23 Zepeda.

24 Q Now during the time that you were not working for
25 Fonseca, did you hear about the abduction of Agent

1 Camarena?

2 A Yes, in the newspapers, the television.

3 Q When you returned to work for Ernesto Fonseca where
4 did you go?

5 A On a house in Hidalgo Avenue.

6 Q And why was it, if you know, that Fonseca wanted
7 everyone back?

8 MR. RUBIN: Objection; calls for speculation.

9 THE COURT: Sustained.

10 BY MR. CARLTON:

11 Q At some point after your return to work for Ernesto
12 Fonseca did you move to the Loma Bonita Apartments?

13 A Yes.

14 Q About when?

15 A The beginning of March.

16 Q Of?

17 A 1985.

18 Q And did you see a meeting at that location while you
19 were there?

20 MR. BLANCARTE: Objection; leading.

21 THE COURT: Overruled.

22 THE WITNESS: Yes.

23 BY MR. CARLTON:

24 Q When did that meeting occur?

25 A In the month of March.

1 Q Beginning? End? Do you know when?

2 A More or less the middle of March.

3 Q And what did this meeting concern?

4 A The D.E.A. agent, Armando Cuellar, Jorge Larios, the
5 agents of the Federal Police, Juan Gilberto
6 Hernandez-Parra, Alfonso Lopez Vasquez-Velasco. They were
7 from the Federal Judicial. And eventually I took them to
8 Ernesto Fonseca's bedroom.

9 Q Where was that bedroom?

10 A The apartments of Loma Bonita, the second floor.

11 Q What happened up there?

12 A They were having a conversation whether to get the
13 bodies out or not. And the agent from the D.A.'s office
14 suggested they be dumped out of the State of Jalisco so the
15 problem could be taken to another state and the City of
16 Guadalajara and the State of Jalisco would be free of any
17 problem.

18 Eventually Rene Lopez went into the bedroom saying
19 that he had a family problem. Ernesto Fonseca told him to
20 go take care of it, and Samuel Ramirez-Razo ordered me to
21 go with Rene Lopez.

22 Q Did you go with Rene Lopez to his house?

23 A Yes.

24 Q Did you then return to Fonseca's group?

25 A Yes.

1 Q Did you stay with them for the next month?

2 A Yes.

3 Q And during that period of time what were you and the
4 group doing, generally?

5 A We were there to receive orders from Ernesto Fonseca
6 and we were on maximum alert since supposedly the Marines
7 from the states were going to go there to take all the drug
8 traffickers out of the State of Jalisco.

9 Q Where did you and the group stay?

10 A In a farm of the Casta del Terra on the road to
11 Tapala.

12 Q And at some point did you stay at other locations
13 also?

14 A Yes, in other houses.

15 Q At some point during this period did Ernesto Fonseca
16 mention the Hotel La Fyatt?

17 A Yes. He wanted us to go to the Hotel La Fyatt to
18 fight the D.E.A. agents. And Ernesto Fonseca ordered us to
19 go because they had killed Commander Gabriel
20 Gonzalez-Gonzalez and he wanted us to avenge his death.

21 And Ernesto Rafael Fonseca came downstairs from La
22 Casa del Terra and got into the red Mustang and then he
23 just managed to get one foot in because the rest of the
24 group did not want to go with him.

25 Then he asked us what kind of people did he have

1 with him. We were all very coward. And then eventually he
2 was talking to each one of us, him and Javier Barba, to ask
3 us if there was one who was pointing the finger inside.

4 And they asked me who among the group of my
5 colleagues was the one. And if I point to someone, he was
6 going to order him to be killed.

7 And what Ernesto Fonseca wanted to do is for us to
8 fight among the group because he was so an angry that none
9 of us wanted to go with him to fight against the D.E.A.
10 agents.

11 Q Mr. Godoy, at some point did you and the group go to
12 Puerto Vallarta?

13 A Yes, beginning of April 1985.

14 Q Where did you stay there?

15 A In a house that belonged to Candalario Ramos. And in
16 front of the Sheraton.

17 Q At any point during the time that you went back
18 finally to Ernesto Fonseca's group did you see him
19 listening to any tapes?

20 A Yes. Except that at the time he saw us, we would
21 approach him, he would turn off the recorder. Eventually
22 at Puerto Vallarta at the house where we were at the
23 gentleman was rather drunk, and I had to go to his bedroom
24 to take a lamp, and I managed to hear what the cassette was
25 saying. It was the voice of Espino-Verdin and Agent

1 Enrique Camarena.

2 The agent was telling him, "Please, don't torture
3 me any more. Let me go and there won't be any problem."

4 And Espino-Verdin would tell him, "Nothing else is
5 going to happen to you. We are going to let you go home."
6 But you could also hear the moaning as if he was being
7 beaten. And he was asking them with a broken voice to
8 please not torture him any more.

9 MR. MEDVENE: Objection, Your Honor, the
10 transcription speaks for itself.

11 THE COURT: Well --

12 MR. CARLTON: We will move on, Your Honor.

13 THE COURT: Yes.

14 BY MR. CARLTON:

15 Q How many times did you hear these tapes, Mr. Godoy?

16 A I had heard them before but only like whispering and
17 at that time in Puerto Vallarta was when I managed to hear
18 that portion that I just explained.

19 Q Were you arrested in Puerto Vallarta?

20 A Yes.

21 Q Was the rest of the group arrested as well?

22 A Yes, but one was missing. He had escaped from there.

23 Q Who was that?

24 A Rene Lopez-Romero.

25 Q How was it that you and the group came to be arrested

1 in Puerto Vallarta?

2 A It was because other colleagues were drunk and they
3 had some problems with other people in Puerto Vallarta.
4 Then the Federal Security who was with us Rafael Ruiz
5 Velasco, Jorge Salazar and Eleseo Martinez, went to see the
6 colleagues that had had a fight and took them home. Then
7 we found ourselves surrounded by the agents of Federal
8 Security and by the army.

9 Q At that point everyone was arrested?

10 A Yes. They made us turn ourselves in. Ernesto Fonseca
11 said that everything was arranged, to give ourselves in,
12 not to worry.

13 Q Now were charges filed against you to your knowledge?

14 A Three charges.

15 Q What were those?

16 A Carry guns, deleterious conduct, and import of
17 prohibited weapons.

18 Q Were you put in prison?

19 A Yes.

20 Q When were you released?

21 A Around September 1987.

22 Q Were any of these charges dismissed at that time?

23 A Only carrying weapons and I was released on bail.

24 Q Now, did you get a job after you were released from
25 prison?

1 A Brother-in-law and myself set up a restaurant.

2 Q How long did you have that job?

3 A Until the middle of 1991.

4 Q When did you come to the United States?

5 A End of August 1991.

6 Q Do you have an agreement with the government?

7 A They granted me immunity, protection for my family
8 because it's logical in Mexico they wanted to kill me.

9 Also immigration because what I am doing now is being taken
10 in Mexico as our governors over there they do whatever they
11 please. And in Mexico it is prohibited that a person --

12 MR. RUBIN: Move to strike as non responsive.

13 THE COURT: Sustained. State another question.

14 BY MR. CARLTON:

15 Q Are you receiving any money from the government?

16 A Yes.

17 Q How much?

18 A \$3,000.

19 Q How often?

20 A Every month.

21 Q Do you have any understanding as to how long that will
22 continue?

23 A No, I don't know.

24 MR. CARLTON: May I have just a moment, Your
25 Honor. (Pause). Nothing further at this time. Thank you.

1 THE COURT: You may cross-examine the witness.

2 CROSS-EXAMINATION

3 BY MR. MEDVENE:

4 Q How many years, Mr. Godoy, did you go to school in Los
5 Angeles?

6 A Approximately two years.

7 Q Did you take your classes in English?

8 A A few only.

9 Q Did you communicate with your teachers in English?

10 A No.

11 Q Do you understand me when I speak in English?

12 A A little.

13 Q When is the first time that you thought that the
14 D.E.A. would be interested in the kind of information that
15 you have testified about yesterday and today?

16 A In the month of August 1991.

17 Q You didn't think that they'd have any interest in this
18 information before that?

19 A I don't know.

20 Q You knew after February of 1985 the D.E.A. was
21 investigating the kidnapping of Enrique Camarena, did you
22 not?

23 A Yes.

24 Q And you knew the D.E.A. was looking for any
25 individuals who might have information about the

1 kidnapping; isn't that true?

2 A I don't know because I was with a group of Ernesto
3 Fonseca.

4 Q Well, you were with a group, but you knew the D.E.A.
5 was advertising in the newspapers in attempt to find
6 witnesses; isn't that true?

7 A Yes.

8 Q And you knew as early as 1985, 1986, the D.E.A. was
9 offering rewards for people that came forward that claimed
10 they had information?

11 A I was locked up in the southern pen.

12 Q Well, you knew when you were released that the D.E.A.
13 was offering a reward for people with information about the
14 kidnapping; isn't that correct, sir?

15 A At that time I went out and I didn't want to know
16 anything about anybody, because the experience I had gone
17 through was difficult. And besides, we were used a lot.

18 Q My question, sir, is not if you wanted to know
19 anything. My question is: Isn't it true that after your
20 release, you knew the D.E.A. was looking for anybody that
21 had information about the kidnapping?

22 A I lived in a town far from Guadalajara, sir.

23 THE COURT: Did you know or didn't you, that's the
24 question?

25 THE WITNESS: Yes, I did read it in the papers.

1 BY MR. MEDVENE:

2 Q Did you also know that Ruben Zuno had been charged
3 with the kidnapping or planning the kidnapping of Enrique
4 Camarena?

5 MR. CARLTON: Objection. Vague as to time.

6 THE COURT: Well, yes, specify what point in time.

7 BY MR. MEDVENE:

8 Q Did there come a time that you knew Ruben Zuno had
9 been charged with planning the kidnapping of Enrique
10 Camarena?

11 A Yes.

12 Q And you knew, did you not, prior to May of 1990, that
13 Mr. Zuno was going to face trial in 1990 for the kidnapping
14 or planning the kidnapping of Enrique Camarena; isn't that
15 true, Mr. Godoy?

16 A Yes.

17 Q Now, did you contact, before May of 1990 when you knew
18 there was going to be a trial of Ruben Zuno, did you
19 contact anyone from the D.E.A. and say, "I have information
20 about Ruben Zuno and the Camarena kidnapping"?

21 A Would you repeat that again, please.

22 Q Did you, prior to May of 1990, when you knew Mr. Zuno
23 was going to stand trial for planning the kidnapping, did
24 you go to anyone in the D.E.A. and say, "I have information
25 that Ruben Zuno planned the kidnapping"?

1 A No.

2 Q You were arrested in Puerto Vallarta about April 5th
3 of 1985; is that correct?

4 A Yes.

5 Q And you were questioned at that time about your
6 knowledge of the Enrique Camarena kidnapping; isn't that
7 correct?

8 A No.

9 Q Weren't you asked questions, sir, at that time about
10 whether or not you had any knowledge about how the
11 kidnapping came about?

12 A No.

13 Q At or about April of 1985, didn't you give a statement
14 to the Mexican authorities at the time of your arrest?

15 A They made me sign a paper blindfolded, and they would
16 just put my fingers on the pages where I was supposed to
17 sign.

18 Q I place before you, sir --

19 MR. MEDVENE: I'm sorry. Ms. Reporter, could you
20 please place in front of the witness --

21 THE COURT: You may hand it to the clerk.

22 MR. MEDVENE: Yes, sir. May I approach?

23 THE COURT: Have you marked that for
24 identification?

25 MR. MEDVENE: It's been marked, sir. It's marked

1 as 404.

2 (Exhibit 404 marked for identification)

3 BY MR. MEDVENE:

4 Q I place before you, sir, what has been marked as 404,
5 and I direct your attention to the page and pages that I
6 have in front of you. You see in the upper right-hand
7 corner 6511?

8 A Yes.

9 Q Now, is this the statement that you claim was placed
10 in front of you when you were blindfolded and you signed
11 it?

12 A I don't know, because I never saw it, sir.

13 Q Do you remember being asked certain questions, Mr.
14 Godoy, during the time of your arrest?

15 A Well, you see, since I was blindfolded and they were
16 giving us a beating, torturing us, I lost consciousness,
17 sir.

18 Q Well --

19 A They told me if I didn't sign those papers they would
20 torture me again.

21 Q You remember now signing the papers?

22 A Yes.

23 Q Now, when you were questioned at that time, you told
24 the people that were questioning you that you had worked as
25 a bodyguard for Ernesto Fonseca; is that correct?

1 A They placed some papers in front of us.

2 Q My question to you, sir, is: Did you tell whoever
3 questioned you, before any papers were placed in front of
4 you, that you worked as a bodyguard for Ernesto Fonseca?

5 A I don't remember if they asked me, sir, because my
6 state was not very well at that time.

7 Q Would you look at the statement and the top three or
8 four or five lines, or wherever you want to look at, and
9 see if that refreshes you that you told the questioners
10 that you had worked as a bodyguard for Ernesto Fonseca?

11 MR. CARLTON: Objection. Lack of foundation, Your
12 Honor. The witness hasn't seen the document. He doesn't
13 remember what happened.

14 THE COURT: He may answer.

15 THE WITNESS: I don't remember, sir.

16 BY MR. MEDVENE:

17 Q Did you work as a Federal Judicial Police Officer for
18 the State of Jalisco, sir?

19 A Yes.

20 Q During the month of July of 1984, were you dismissed
21 from the police organization?

22 A We didn't show up there anymore.

23 Q Does that refresh you that you made that statement to
24 whoever was questioning you, Mr. Godoy?

25 A Could you repeat the question, please.

1 Q Yes, sir. Let me ask another question, sir.

2 While you were working for the police, did you
3 receive certain orders from Comandante Gabriel
4 Gonzalez-Gonzalez to accompany Ernesto Fonseca on two
5 occasions?

6 A No.

7 Q Didn't you tell us yesterday, sir, that you received
8 certain orders to accompany Mr. Fonseca before you went to
9 work for him full time?

10 A It was from Commander Jose Maria Carlos-Ochoa.

11 Q So Commander Ochoa gave you orders to go and work on
12 two occasions for Ernesto Fonseca?

13 A Yes.

14 Q That was before you went to work for Fonseca on a
15 permanent basis after you were dismissed from the police;
16 is that correct?

17 A Can you repeat that again, please.

18 Q There were two occasions where you did this work for
19 Ernesto Fonseca --

20 THE COURT: He's already answered that question.

21 MR. MEDVENE: All right, sir.

22 BY MR. MEDVENE:

23 Q Now, does that refresh you, sir, that you told these
24 things to whoever was questioning you in April of '85?

25 A No, sir, because the people were beating me up, and

1 the various agents were asking me questions all at one
2 time.

3 Q Well, were they beating you up, asking you to say that
4 you were involved in the kidnapping?

5 A That was not to say because they killed Gabriel
6 Gonzalez-Gonzalez. Gabriel Gonzalez-Gonzalez was pointing
7 to the agents that we were all soiled, and that was the
8 cause of the death given to Gonzalez-Gonzalez.

9 And they told me if I wanted to have the same
10 thing happen to me that Gabriel Gonzalez-Gonzalez, then I
11 knew what to say.

12 Q Well, what did you understand them to mean when they
13 said you knew what to say?

14 A That I didn't have to say anything, sir, because if I
15 were to say something and pointed a finger at someone, they
16 were going to kill me the way they killed Gabriel
17 Gonzalez-Gonzalez.

18 Q So they were beating you and asking you questions in
19 the hopes that you wouldn't say anything; is that what you
20 are saying?

21 A That's right, sir.

22 Q Did you say, "If you don't want me to say anything,
23 why are you beating me?"

24 A That's right.

25 Q And what did they say?

1 A They went and took me to the building at Lope de
2 Vega -- Lopez in Mexico.

3 Q Now, did you tell them on that occasion that you were
4 a cocaine addict during this period of time, '84, '85?

5 A No. And we underwent tests there.

6 Q You did not say you were a cocaine addict?

7 THE COURT: He just answered. He just answered
8 that question.

9 BY MR. MEDVENE:

10 Q You took cocaine during 1984, didn't you, sir?

11 MR. CARLTON: Objection. Relevance.

12 THE COURT: Overruled.

13 THE WITNESS: No.

14 BY MR. MEDVENE:

15 Q Would you look, sir, about 20 lines up from the bottom
16 of the page and see if that refreshes your recollection of
17 was there any discussion about cocaine and your taking
18 cocaine. I just approximate it. It's about 30 lines up.

19 MR. CARLTON: Objection, Your Honor. The witness
20 has not indicated that his memory needs to be refreshed.
21 He denies that he --

22 THE COURT: The objection is sustained.

23 MR. MEDVENE: All right, sir.

24 BY MR. MEDVENE:.

25 Q Did you tell the questioners at the time that because

1 of certain medical problems you were not working for Mr.
2 Fonseca in November, December and January -- excuse me.

3 Did you tell the questioners that because of
4 certain medical problems you had, you temporarily left Mr.
5 Fonseca's employ in November and December of 1984 and
6 January of 1985?

7 A Yes.

8 Q Was that true?

9 A Yes.

10 Q Did you also tell the questioners that after this
11 period of medical incapacitation you went back to work for
12 Mr. Fonseca sometime in February of 1985?

13 A Yes.

14 Q Was that true?

15 A Yes.

16 Q You told the questioners that you had no information
17 about any meetings where the kidnapping of Enrique Camarena
18 might have been discussed; isn't that true?

19 A They didn't ask me that.

20 Q Well, did you tell them you had any information about
21 any meetings that you claimed you attended where the
22 kidnapping of Enrique Camarena was discussed? Yes or no,
23 sir.

24 A No.

25 Q In fact, you were asked what you knew about the

1 kidnapping, and you told the questioners that you were away
2 because of sickness for the months before the kidnapping
3 and after the kidnapping when you saw Mr. Fonseca and his
4 people, some people told you some facts?

5 MR. CARLTON: Objection. Vague and ambiguous.

6 THE COURT: Sustained.

7 BY MR. MEDVENE:

8 Q You told the questioners, did you not, when they asked
9 you what information you had about the kidnapping, that you
10 really didn't have any because you weren't working for Mr.
11 Fonseca for the few months before the kidnapping, and you
12 didn't go back to work with him until February after the
13 kidnapping took place? Isn't that what you told the
14 questioners?

15 A If I had told them something it would have been right
16 there, sir, because they were in the meetings themselves.

17 Q Isn't that what you told them, sir?

18 A No, I didn't tell them that, sir.

19 Q Did you tell them that you had any information about
20 any meetings that dealt with Enrique Camarena's kidnapping?

21 A No.

22 Q Is it true, sir, that you never said that Ruben
23 Zuno-Arce had anything of any kind to do with any planning
24 of kidnappings; isn't that true, sir?

25 A Can you repeat that again.

1 Q Yes, sir.

2 You've never told these questioners that Ruben
3 Zuno had anything of any kind to do with the planning;
4 isn't that true?

5 A Of no person.

6 Q My question is: Isn't it true that you did not tell
7 them Ruben Zuno had anything of any kind to do with the
8 kidnapping; is that correct, sir?

9 A I didn't say that.

10 Q You did not mention Ruben Zuno in any way, did you, as
11 being involved in any way, did you, sir?

12 A Nor him nor the other politicians, sir.

13 Q How much did you earn with Ernesto Fonseca? How much
14 money did he pay you when you were working for him?

15 A I don't know, sir.

16 Q You had a pretty good memory the last couple days.
17 You don't remember what Mr. Fonseca paid you?

18 A Sometimes they would give us, and sometimes they
19 wouldn't give us anything, sir.

20 Q Well, how much did he pay you in 1984?

21 A Sometimes they could give us a hundred dollars and
22 sometimes they would give us \$50, and sometimes they
23 wouldn't give us anything. Sometimes we had to request it.

24 Q What would you say you earned for the year 1984 from
25 Mr. Fonseca? How much in U.S. dollars?

1 MR. CARLTON: Objection. Lack of foundation as to
2 the exchange rate.

3 THE COURT: Sustained.

4 BY MR. MEDVENE:

5 Q Do you know what the exchange rate is between the
6 Mexican peso and the U.S. dollar in 1984?

7 A It devaluated many times, sir. I don't remember it.

8 Q How much were you paid in pesos by Mr. Fonseca's in
9 1984?

10 A The maximum they ever gave me was 100,000 pesos, sir.

11 Q You were released from custody in 1986?

12 A No.

13 Q When in 1987 were you released?

14 A In September.

15 Q What did you make in all of 1988, earnings?

16 A Over there, sir, I only earned for the expenses of my
17 family.

18 Q Well, in 1988, could you tell me the total amount of
19 money that you earned?

20 A Must have been some 500,000 pesos.

21 Q You earned from the D.E.A. in one year, from August 30
22 of '89 to August of -- excuse me -- you earned -- you first
23 went to the D.E.A. in August of '91?

24 A Yes, at the end.

25 Q And you earned in one year from the D.E.A. about

1 \$60,000 U.S.; isn't that right?

2 A I didn't know that, sir.

3 Q You do know you earned more than you ever made in your
4 life, don't you?

5 A Possibly.

6 Q Not possibly. You earned more than by many times then
7 you ever made in your life; isn't that true, Mr. Godoy?

8 MR. CARLTON: Objection. Argumentative.

9 THE COURT: Sustained.

10 MR. MEDVENE: Is this a convenient time for a
11 break, Your Honor.

12 THE COURT: We will take our noon recess at this
13 time. Let me remind the jury not to discuss this case with
14 each other or anyone else, not to form or express any
15 opinion or conclusion about this case, not to read, watch,
16 or hear anything about this case, and to avoid any and all
17 contact with any people here in the courtroom that are
18 involved in this trial. That means any contact, however
19 trivial or slight, just avoid it, please.

20 Now, you may be excused.

21 THE CLERK: Please rise.

22 (Luncheon recess had)

23

24

25

1 LOS ANGELES, CALIFORNIA; TUESDAY, DECEMBER 8, 1992; 1:30 PM

2 (Jury Out)

3 THE COURT: I have convened without the jury. I
4 want to tell you about this letter that I received from
5 Juror Number 12, Mr. Melcher, who says that his employer
6 has a policy of only paying for ten days of jury service
7 every two years, and that he has requested me to write a
8 letter to his employer asking them to compensate him for
9 remaining to complete this case.

10 I have written a letter to that effect to the
11 employer, which I am going to give to the juror in an
12 envelope which simply states that the juror, "That Michael
13 Melcher is a juror in my court, serving on the case of
14 United States v. Caro-Quintero, et al., relating to the
15 death of American D.E.A. Agent Enrique Camarena. This
16 trial is in its second week and will continue for perhaps
17 two or three more weeks. Under the authority of 28 United
18 States Code, Section 1875, I would like to request this
19 juror be able to finish the trial without loss of
20 compensation. He has expressed some concern that his pay
21 will be discontinued beyond ten days. The court is
22 extremely grateful to companies like yours who make their
23 employees available for jury service. Your cooperation in
24 this regard will be greatly appreciated."

25 I just brought that to your attention so that --

1 I'm going to give this to the juror at the end of the day.

2 Summon the jury, please.

3 (Jury in.)

4 THE COURT: You may continue your
5 cross-examination.

6 MR. MEDVENE: Thank you, Your Honor.

7 CROSS-EXAMINATION (Continued)

8 BY MR. MEDVENE:

9 Q Mr. Godoy, during the time you worked for Ernesto
10 Fonseca, you knew him to be involved in the sale and
11 trafficking of drugs; is that correct?

12 A Yes.

13 Q And the bribing of public officials?

14 A Yes, I did recognize so. Yes.

15 Q And you assisted him in every way he asked to
16 accomplish those things; isn't that correct?

17 A Yes.

18 Q And you did that because you were getting paid and you
19 did what you felt you had to do to get money?

20 A First, it was because he told me to from the office.
21 Secondly, that if I didn't do it, they were going to kill
22 me, just as they had killed other agents of the Judicial
23 Police.

24 Q In your questioning by the Mexican authorities in
25 April of 1985, you told the questioner, did you not, that

1 Ernesto Fonseca was involved in the sale and trafficking of
2 drugs?

3 A I don't remember if I did.

4 Q The questioner was Florentino Ventura-Guiterrez; isn't
5 that correct?

6 A They were other agents.

7 Q Was one of the men that questioned you Florentino
8 Ventura-Guiterrez?

9 A They were his people.

10 Q I ask if you would look at, for purposes of refreshing
11 your recollection, at Page 65-13 in front of you.

12 THE INTERPRETER: What pages, Counsel?

13 MR. MEDVENE: 65-13. It's the last page. It is
14 the very last page of that group.

15 BY MR. MEDVENE:

16 Q I ask you to first look up six or seven lines and see
17 if that refreshes your recollection that you told the
18 questioner that Ernesto Fonseca was involved in the sale
19 and trafficking and planting of drugs?

20 THE COURT: The question is: Does it refresh your
21 recollection?

22 THE WITNESS: When I went to Florentino Ventura,
23 that's after I had signed those papers, but it was then
24 that they took the blindfold off.

25 BY MR. MEDVENE:

1 Q Now, Florentino Ventura, to your knowledge, was
2 refuted to be an honest Comandante?

3 A He said it. I don't know.

4 Q Florentino Ventura was not at any of the meetings
5 where you claim corrupt police officials were present;
6 isn't that true?

7 MR. CARLTON: Objection. Relevance.

8 MR. MEDVENE: It's going to his prior question,
9 Your Honor, the people that questioned him --

10 THE COURT: Well, we're getting into something
11 else now, and we're belaboring this.

12 I'm going to sustain the objection.

13 He hasn't said he was present, therefore, he
14 wasn't.

15 BY MR. MEDVENE:

16 Q Does Page 65-13 refresh you, sir, that you placed your
17 signature on this statement, the statement where you do not
18 indicate Zuno-Arce had any part of any kind in any
19 kidnapping meetings, you placed your signature on that
20 statement in front of Florentino Ventura?

21 MR. CARLTON: Asked and answered.

22 THE COURT: Well, that question hasn't been asked
23 and answered. You may answer the question.

24 THE WITNESS: Would you repeat the question,
25 please.

1 BY MR. MEDVENE:

2 Q Did you place your signature on the statement where
3 there's no indication Zuno-Arce had any participation in
4 any kidnapping meetings, did you place your signature on
5 that statement in front of Florentino Ventura?

6 MR. CARLTON: Objection. Improper question, Your
7 Honor.

8 THE COURT: Yes, the form of the question is
9 clearly improper.

10 BY MR. MEDVENE:

11 Q Did you place your signature on your statement in
12 front of Florentino Ventura?

13 A As I said, I did it while I was blindfolded.

14 Q Did you see Florentino Ventura when you signed your
15 statement?

16 A After I signed it.

17 Q Now, did you tell Florentino Ventura that anything in
18 your statement was not true?

19 A I never told Florentino Ventura anything.

20 Q After you signed your statement, within 24 hours
21 didn't you go to a public court and wasn't the statement
22 read aloud to you?

23 A That happened days later at the Northern Correctional
24 Facility. When they -- and they indicted me formally, it
25 was like a wholesale. There were lots of reporters and

1 people around, and there were lots of words flying, and I
2 didn't really understand.

3 Q But at that time, your statement was read to you;
4 isn't that correct, Mr. Godoy?

5 A I recanted the statement and I said that it had been
6 coerced.

7 Q Did you say at that time or any other time in court,
8 that you had information about any kidnapping meetings?

9 A When they took me out there to make a statement, I
10 never said that, because my preparatory statement was in
11 the month of January of 1987, and the attorneys they had
12 defending us just told us to sign.

13 Q Now, you were charged and convicted of certain
14 criminal offenses when you were arrested with Mr. Fonseca;
15 is that correct?

16 A Yes.

17 Q In July of 1991, some years later, is it true that you
18 robbed a bank and a medical van?

19 THE INTERPRETER: And a what? A medical truck?

20 MR. MEDVENE: Medical van.

21 THE WITNESS: No, sir.

22 BY MR. MEDVENE:

23 Q Weren't you, to your knowledge, charged in Mexico in
24 1991 for robbery?

25 A I was accused of several crimes, and they also forced

1 me to sign the statements. And it was the Federal
2 Judicial Police themselves who had been pressuring me so
3 that I would give them information, that I would tell them
4 what I knew about the D.E.A. From there they took me to
5 Guanajuato, and from Guanajuato I was requested to appear
6 before the Attorney General of Jalisco.

7 Q Did you flee Mexico in July of 1991?

8 A I didn't flee. I was exonerated of the charges.

9 Q Did you leave Mexico in July of 1991?

10 A In July of '91?

11 Q Yes.

12 A In July of '91 was when I was in jail.

13 Q When did you first speak with anyone from the D.E.A.
14 in this matter?

15 A Around the middle of August.

16 THE COURT: What year?

17 THE WITNESS: Of 1991.

18 BY MR. MEDVENE:

19 Q Now, did you have a job in Mexico at that time?

20 A I was still working the restaurant, the hamburger and
21 pizza restaurant in San Juan de Los Lagos.

22 Q You've told us that you knew for some years that Mr.
23 Zuno had been charged with planning the kidnapping.

24 Did you call the D.E.A. in July of 1991 or did
25 they contact you?

1 A They got in touch with me, sir.

2 Q Who got in touch with you?

3 A Mr. Berrellez.

4 Q And where were you when he got in touch with you?

5 A In Guadalajara.

6 Q And how did he get in touch with you?

7 A By phone.

8 Q Was that the first time you had ever spoken with him?

9 A He called me.

10 Q Had you been told before that by anyone that he or

11 someone from the D.E.A. might call you?

12 A Could you repeat the question.

13 Q Had you been told before receiving the call that he or

14 someone from the D.E.A. might call you?

15 A Yes.

16 Q And who told you?

17 A If I answer that question that person will be in

18 danger in Mexico, sir.

19 Q Who told you?

20 THE COURT: Well, just a moment. Pass this.

21 We'll take it up at the recess.

22 BY MR. MEDVENE:

23 Q Had you been in touch with that person before the

24 phone call?

25 A The person just called me.

1 Q And how long had you known this person?

2 A From ten years before.

3 Q And had you worked with this person?

4 A No.

5 Q Did that person call you by phone or come to see you?

6 A He called me on the phone.

7 Q What month?

8 A In the middle of August of 1991.

9 Q When was the last time before the phone call from that

10 person in the middle of August of 1991 that you had heard

11 from that person?

12 A Could you ask me that again, please.

13 Q When was the last time before the middle of August of

14 '91 that you had spoken to that person?

15 A You mean when was it that that person had spoken to me

16 before August of 1991?

17 Q Yes.

18 A Before ending up in jail in 1985.

19 Q Before you ended in jail in 1985?

20 A Yes. The last time I saw that person was in 1985.

21 Q The last time you saw him or spoke to him?

22 A The last time was in the month of August of 1991.

23 Q And the time before that, that you spoke to him was

24 some six years before?

25 MR. CARLTON: Asked and answered, Your Honor.

1 THE COURT: Sustained.

2 BY MR. MEDVENE:

3 Q Did the person when he spoke with you discuss with you
4 that money was being offered if people had certain
5 information they could give about Ruben Zuno?

6 A No.

7 Q Was there any discussion of money at that time?

8 A No.

9 Q Did you tell the person that you would speak with the
10 D.E.A.?

11 A No.

12 Q Did you tell the person you would not speak with the
13 D.E.A.?

14 A When that person called me on the phone, he never said
15 that someone from the D.E.A. wanted to speak to me.

16 Q When you spoke to Mr. Berrellez from the D.E.A., did
17 you tell him that you had any information about Enrique
18 Camarena's kidnapping?

19 A Mr. Berrellez just asked me whether I would like to
20 work with him.

21 Q And did you say yes?

22 A Yes.

23 Q Now, you've told us that you knew for a number of
24 years that the D.E.A. was interested in talking to people
25 that claim they had knowledge.

1 Why didn't you contact any representative of the
2 D.E.A. before this if you had knowledge?

3 A Because I was afraid.

4 Q But when he called you out of the blue in August of
5 '91 you were no longer afraid; is that correct?

6 A Yes.

7 Q Did you make arrangements to go to Los Angeles?

8 A No.

9 Q Did you attempt to call anyone from the D.E.A. prior
10 to May of 1990 when you knew Mr. Zuno was going to stand
11 trial and tell them you had any information?

12 A Never.

13 Q If you had information about Mr. Zuno's involvement,
14 and you knew he was going to go to trial in May of 1990,
15 why didn't you call somebody from the D.E.A. and say, "I
16 have information. I will be a witness"?

17 A Because I was afraid.

18 Q But you weren't afraid a couple years later when he
19 called you; is that correct?

20 A Yes, I was afraid.

21 Q So you were afraid both times, but you agreed to talk
22 in '92, and not '90 or '89 or '88 or '87; is that correct?

23 MR. CARLTON: Compound question, Your Honor.

24 THE COURT: He may answer it anyway.

25 BY MR. MEDVENE:

1 Q Is that correct, sir, yes or no?

2 A Would you give me the question again, please.

3 THE COURT: He's already answered the question.

4 MR. MEDVENE: Yes. I'll move on.

5 BY MR. MEDVENE:

6 Q You made an arrangement with the D.E.A. to receive a
7 certain amount of money a month; is that correct, sir?

8 A No.

9 Q Are you receiving a certain amount of money a month?

10 A That was later, after I had come here to Los Angeles.

11 Q Before you came to Los Angeles, did you meet with any
12 representatives of the D.E.A. or any other representatives
13 of the U.S. Government?

14 A No. Not until I reached the border.

15 Q When you reached the border, did you meet with any
16 representatives of the D.E.A.?

17 A At the border.

18 Q And who did you meet with?

19 A With Mr. Hector Berrellez.

20 Q When was that?

21 A At the end of August of 1991.

22 Q Do you remember what day in August?

23 A No, I don't remember, sir.

24 Q Do you remember the day of the week?

25 A I don't.

1 Q Now, how long did you talk to Mr. Berrellez at that
2 time?

3 A Just at that time at the border, whether I accepted
4 coming across voluntarily, yes or no. I said yes.

5 Q And what were you told would happen if you came across
6 voluntarily?

7 A That I would cooperate with them, and that I was to
8 tell the truth, and that if I didn't tell the truth, that I
9 was going to be locked up.

10 Q But if you told what was considered the truth, you
11 would be permitted to remain in the United States?

12 A He hadn't told me at that time.

13 Q But it was your understanding that you would be
14 permitted to remain in the United States?

15 A Yes.

16 Q It was your understanding that you would be paid a
17 number of thousands of dollars a month?

18 A Yes. He told me that later over here.

19 Q And you understood that you'd even be able to get a
20 work permit, and after these whatever proceedings were
21 finished, you would be able to work here in the United
22 States?

23 A Yes. They just gave me the red card.

24 Q Now, you were also told these things about getting
25 paid and getting a work permit and getting to live here in

1 this country by that man who called you in Mexico in August
2 of '91; isn't that right?

3 A Yes.

4 Q That man who you hadn't spoken to in six years, he
5 told you that?

6 THE COURT: Counsel, he answered the question.

7 MR. MEDVENE: Yes, sir. I'm sorry, Your Honor.

8 BY MR. MEDVENE:

9 Q When was the first payment you received from the
10 D.E.A.?

11 A In September of 1991.

12 Q And how much was that for?

13 A \$3,000.

14 Q Now, at the time you received that payment, were you
15 already in Los Angeles?

16 A Yes.

17 Q And had you given already any statement to a
18 representative of the D.E.A.?

19 A Just a few questions.

20 Q And at that time, on your first interview, you told
21 the D.E.A. something of your background, that you had been
22 a bodyguard for Mr. Fonseca?

23 A They already had everything about my background, sir.

24 Q You did not give them any detailed information at this
25 first meeting; isn't that correct?

1 A No.

2 Q You say no, is my statement correct?

3 A Could you ask me again, please.

4 Q Yes.

5 THE COURT: State it affirmatively.

6 MR. MEDVENE: Yes, sir.

7 BY MR. MEDVENE:

8 Q At the first meeting, you told the D.E.A.
9 representatives --

10 THE COURT: Did you tell.

11 BY MR. MEDVENE:

12 Q At the first meeting, did you tell the D.E.A.
13 representatives you would be willing to tell them whatever
14 you knew having to do with the Enrique Camarena kidnapping?

15 A Could you give me the question again, please.

16 Q Yes, sir. At the first meeting, did you tell the
17 D.E.A. representatives you would tell them whatever you
18 knew about the Enrique Camarena kidnapping?

19 A Yes.

20 Q At the first meeting, you did not furnish any details;
21 isn't that correct?

22 A No.

23 THE INTERPRETER: And Counsel, as the interpreter,
24 that could mean -- I mean, that does mean, "No, I didn't."

25 THE COURT: Well, you better ask the witness that.

1 BY MR. MEDVENE:

2 Q You did not furnish any details of any kind to Mr.
3 Berrellez at your first meeting with him?

4 A The interview was short, sir.

5 Q You furnished no details; is that correct?

6 A Yes. I did give him details of what he asked me, sir.
7 And, as I say, the interview was a short one.

8 Q You did not --

9 THE COURT: "Did you" I think would be better.

10 BY MR. MEDVENE:

11 Q Did you tell Agent Berrellez at that time about any
12 specific meeting where you claimed that the kidnapping was
13 discussed?

14 A I don't remember, sir, because there were several
15 questions.

16 Q Exhibit 404 is in front of you. I ask just to refresh
17 your recollection, if you would look at Page 64-89, which
18 is the top page. Do you have that in front of you?

19 A Is it this one?

20 Q Yes.

21 MR. CARLTON: May we have some foundation as to
22 whether the witness reads English, Your Honor.

23 THE COURT: Whether he what?

24 MR. CARLTON: Reads English. All of these reports
25 are in English.

1 THE COURT: Well, I think that would be nice to
2 know if he does read English.

3 BY MR. MEDVENE:

4 Q Do you read English, sir?

5 A Not all of it, sir.

6 Q On August 30th of 1991 did you speak to Agent
7 Berrellez?

8 A What day?

9 Q August 30th of 1991?

10 A As I say, it was around the end of August.

11 Q And what did you tell Agent Berrellez at the first
12 meeting with him that you recall?

13 A There was several questions, sir.

14 Q Tell me to the best of your recollection what you told
15 him?

16 A I began with my life as a policeman, sir.

17 Q Is it correct that at the first meeting with Agent
18 Berrellez -- if you want this statement translated for you
19 the interpreter will do it -- you did not mention Ruben
20 Zuno's name?

21 A No.

22 Q No meetings --

23 THE COURT: You are asking a negative question and
24 you are getting a negative answer, which could mean yes.

25 BY MR. MEDVENE:

1 Q It's correct that you did not mention his name?

2 A No.

3 THE COURT: "Did you mention his name," is the
4 question. Isn't that what you --

5 MR. MEDVENE: Did you --

6 THE COURT: "Did you mention his name at that
7 meeting?"

8 THE WITNESS: No.

9 BY MR. MEDVENE:

10 Q Now, after the first meeting about what you knew about
11 Enrique Camarena's kidnapping, where you didn't mention Mr.
12 Zuno's name, were you paid \$3,000?

13 A So that I could go back to Mexico and speak with my
14 family, sir.

15 Q You were paid \$3,000.

16 A Yes.

17 Q So you could go back to Mexico and speak to your
18 family about whether as a family you should move up here
19 and live permanently in the United States; is that correct?

20 A Yes, sir.

21 Q You understood me that time in English?

22 A Yes, because I heard you talk about my family.

23 Q Now, when was the next time after August 30th that you
24 spoke with any representative of the D.E.A.?

25 A Not until the end of September.

1 Q When you say the end of September, when, what date the
2 end of September?

3 A When I returned from Mexico.

4 Q You've given us a great many precise dates earlier,
5 but you didn't --

6 THE COURT: Counsel --

7 MR. MEDVENE: I'm sorry, Your Honor.

8 BY MR. MEDVENE:

9 Q Could you tell us as specifically as you can what date
10 you next met with any agent of the D.E.A.?

11 A Around the end of September, sir.

12 Q Isn't it true, sir, that you actually met with the
13 D.E.A. about three or four days later?

14 A From when?

15 Q When you gave your testimony yesterday and today,
16 prior to giving that testimony had you reviewed anything to
17 make sure of the details?

18 A No, sir. I just came here to say what I know and what
19 I lived through there.

20 Q Did you meet or speak with anybody about the general
21 topic of the testimony you were going to give in the last
22 month?

23 A Yes.

24 Q Who did you meet with?

25 A With Mr. Carlton.

1 Q And who else?

2 A Mr. Leyva.

3 Q And who else?

4 A That's all.

5 Q And other than Mr. Leyva, did you meet with anyone
6 else from the D.E.A.?

7 A No.

8 Q How many occasions did you meet with Mr. Leyva?

9 A Several times, sir.

10 Q How many?

11 A Several, many.

12 Q More than ten?

13 A Yes.

14 Q More than 20?

15 A During all the time that I've been here, yes.

16 Q In the last month, more than 20?

17 A No, about five.

18 Q And that would be just you and Mr. Leyva?

19 A And with Mr. Carlton.

20 Q Was Mr. Carlton present on each occasion you met with
21 Mr. Leyva?

22 A Yes.

23 Q Now, did you also read -- strike that.

24 You indicated that in the time you've been here --
25 strike that.

1 Is it correct that in the time you've been here in
2 this country, you've had meetings where Mr. Leyva was
3 present on more than 20 occasions?

4 A Possibly, yes.

5 Q Is it possible as many as 30 occasions?

6 A No.

7 Q Somewhere between 20 and 30?

8 A Less than 20, fewer than 20.

9 Q Were any statements that you ever made or gave to the
10 D.E.A. representatives ever put into the Spanish language,
11 to your knowledge?

12 A Could you give me the question again, please.

13 Q Yes. When you gave statements over these various
14 times you've told us you've met with various people from
15 the prosecution's side, to your knowledge, were those
16 statements ever put into Spanish?

17 A Yes.

18 Q And is it correct that you were given those statements
19 in Spanish to review?

20 A No, sir. They would ask me the questions in Spanish
21 and I would answer in Spanish. And the D.E.A. hasn't ever
22 given me any official paper to review or to study, sir.

23 Q Not necessarily an official paper, but any paper of
24 any kind in Spanish that discussed any of the facts?

25 A Sir, if I am the one who is telling them, how could it

1 be that they would give me a paper to say what I am going
2 to tell them?

3 Q What I'm saying, Mr. Godoy -- I'm sorry if you didn't
4 understand.

5 After you gave whatever statement you gave, did
6 anyone ever show you in Spanish a statement and ask you,
7 "Is this what you said?"

8 A No.

9 Q Okay. Now, Mr. Godoy, isn't it correct that it was
10 not the end of September when you saw D.E.A.
11 representatives for the next time, but it was actually on
12 September 3rd?

13 A Possibly, sir, because the day that I was flying to
14 Mexico was the day they celebrate Labor Day here.

15 Q And instead of coming back here at the end of
16 September, is it possible you came back a couple days later
17 to meet with D.E.A. people here in Los Angeles?

18 A Yes.

19 Q So your memory --

20 THE COURT: He answered the question.

21 BY MR. MEDVENE:

22 Q Now, when you came back to Los Angeles, do you
23 remember now that you met with Mr. Leyva on September 3rd?

24 A I don't remember the date, sir.

25 Q Is it correct, sir, that at the second meeting, you do

1 not talk about any meetings where you claim a kidnapping
2 was discussed?

3 A I don't remember, sir. I already told them.

4 Q Is it correct, sir, that to the best of your
5 recollection, all you mentioned at the second meeting is
6 something about seeing Mr. Zuno at a party, but nothing
7 about kidnapping; is that correct?

8 A Yes.

9 Q Now, after the second meeting where you've been asked
10 everything you know about the kidnapping, and you don't
11 mention Mr. Zuno at any meetings, are you given some more
12 money?

13 MR. CARLTON: Objection to the form of the
14 question, Your Honor.

15 THE COURT: Restate the question.

16 MR. MEDVENE: Yes, sir.

17 BY MR. MEDVENE:

18 Q After this second meeting, are you given some more
19 money?

20 A At the beginning of the month of October, sir.

21 Q And after that payment, did you have another meeting
22 with the representatives of the D.E.A.?

23 A Yes.

24 Q And when did you first tell anyone from the D.E.A. --
25 strike that.

1 How many meetings had you had with the D.E.A.
2 before you mentioned even seeing Mr. Zuno at the La
3 Langosta Restaurant?

4 A I don't remember, sir.

5 Q Could it have been five meetings before you told him
6 that you claim you saw him at the La Langosta Restaurant?

7 A Could have been three meetings.

8 Q Could it have been five?

9 A Maybe.

10 Q Now, do you have any idea what month you told them
11 that you were at the La Langosta Restaurant?

12 A I don't remember because at the questioning, there
13 were many questions, sir.

14 Q Now, does your memory, sir, permit you, starting with
15 October of '91, to tell us what you were paid and what
16 dates, or approximate dates you were paid those amounts?

17 A In general?

18 Q As you did on your direct?

19 A They would be made at the end of each month or the
20 beginning of each month.

21 Q You have in front of you, sir --

22 MR. MEDVENE: May -- would the reporter please --
23 excuse me, would the clerk, Ms. Madam Clerk, please, place
24 in front of the witness 403.

25 THE CLERK: Exhibit 403 placed before the witness.

1 BY MR. MEDVENE:

2 Q To refresh your recollection, Mr. Godoy, I place in
3 front of you 403.

4 Is it correct, sir, that you received a \$3,000
5 payment on October 3rd?

6 A Yes.

7 Q \$1,500 on November 1?

8 A Yes.

9 Q \$1,500 on November 6th?

10 A Yes.

11 Q \$500 November 27th?

12 A Yes.

13 Q \$2,500 December 4th?

14 A Yes.

15 Q \$1,000 December 16th?

16 A Yes.

17 Q \$8,000 December 24th?

18 A Yes.

19 Q I missed this one. \$5,000, October 24th? Still of
20 '91?

21 A Yes.

22 Q \$2,000 January 6th of '92?

23 A Yes.

24 Q \$3,000 January 30th of '92?

25 A Yes.

1 Q \$7,500 February 7th?

2 A How much?

3 Q \$7,500 on February 7th of 1992?

4 A Shouldn't that be \$1,500?

5 Q \$1,500 on February 7th of '92?

6 A Yes.

7 Q \$3,000 on April 1?

8 A Yes.

9 Q And basically \$3,000 a month since then?

10 A Yes.

11 Q Now, when did you -- strike that.

12 We've talked about approximately the fifth meeting
13 you had with the D.E.A. in October of '91 when you still
14 had not mentioned any kidnapping meetings.

15 I ask you when was the next meeting that you had
16 with D.E.A. representatives?

17 A They were inconsequential, sir.

18 Q Do you remember what month was the next meeting?

19 A I saw them in October, November.

20 Q Do you remember what you talked to them about in
21 November?

22 A Not exactly, sir. But ever -- it's over -- what we
23 were talking about was mostly on the matter of -- the
24 matter.

25 Q All right. Now, do you remember what month it was you

1 told them about this claimed payment to the Governor,
2 Alvarez Del Castillo?

3 A Could you say that again, please.

4 Q Do you remember what month your meeting was with the
5 D.E.A. when you told them about this alleged payment that
6 you told us about to Alvarez Del Castillo?

7 A No, I don't remember the exact date.

8 Q Do you remember the month?

9 A No.

10 Q Do you remember within three months?

11 A I don't remember exactly.

12 Q Now, you've told us something about marijuana fields
13 in Mascota.

14 Do you remember how many meetings with the D.E.A.
15 you had before you first made that claim?

16 A They asked me several questions, sir, and I cannot
17 tell you on what month or what date exactly I told them.

18 Q All of your conversations with the D.E.A. have been in
19 the last year and a half; is that correct?

20 A From the time I arrived here until the present, sir.

21 Q Could you tell the ladies and gentlemen of the jury
22 how you're not able to remember within three months when
23 any of these meetings occurred, but yet, at some meeting
24 eight or nine years ago, you remember what color car
25 somebody was driving?

1 MR. CARLTON: Objection; argumentative.

2 THE COURT: The objection is sustained.

3 BY MR. MEDVENE:

4 Q Is it true, sir, that even though you had been asked
5 as early as August of '91 for any information you had about
6 meetings involving the kidnapping of Enrique Camarena, it
7 was not until your eighth meeting with the D.E.A., maybe
8 eight or nine months later, and a payment of maybe \$40,000,
9 that you first mentioned remembering Mr. Zuno ever being in
10 a meeting where the kidnapping was discussed; isn't that
11 true?

12 A Sir, when we started working sequentially throughout
13 the questions one starts to remember more. And then one's
14 brain starts working and you start reliving what you had
15 already lived before.

16 Q Is it correct, sir, that even though you were asked in
17 August of '91 for everything you knew that related to the
18 kidnapping of Enrique Camarena, that it was not for eight
19 or nine months and the payment of \$40,000 or so, before you
20 remembered the first meeting where you claim Mr. Zuno was
21 present?

22 MR. CARLTON: Objection. Argumentative.

23 THE COURT: Sustained.

24 BY MR. MEDVENE:

25 Q Is it in April of 1992 when you first make the claim

1 that you were present at any meetings where the kidnapping
2 was allegedly discussed?

3 A I don't know, sir, the way the agents from the D.E.A.
4 work and when they may have written that down.

5 Q Is it your best recollection it was approximately
6 April of 1992 when you first told the D.E.A. agents that
7 you were present at any meetings when the kidnapping was
8 discussed? Is that your best recollection?

9 A It could have been before, sir.

10 Q It could have been April of '92?

11 A Yes.

12 Q Over the last day or so you've mentioned the names of
13 a number of politicians that you claim were at a variety of
14 meetings some eight years ago.

15 Did you make any notes of any kind at the time of
16 the meeting where you put those names down so you could
17 remember them?

18 A No, sir, I went on telling them.

19 Q Did you make any notes in the last eight years of
20 anybody that attended, or you claim attended, any of these
21 meetings? Did you write it down anywhere to help your
22 memory?

23 A At no time, sir.

24 Q Did you write down either at the time or later,
25 anything you claim anybody said at any of these meetings

1 that occurred eight years ago?

2 A Never, sir, because all of the people were very well
3 known.

4 Q You talked yesterday, I believe, about a -- some
5 suitcases and a payment to the Governor; do you remember
6 that?

7 A Yes.

8 Q How big were the suitcases?

9 A About the size of the one that is behind you.

10 Q This briefcase, it's --

11 A That's an example.

12 Q -- about two feet by three-and-a-half?

13 A More or less about that size, a little larger.

14 Q And you went into the Governor's mansion, you and --
15 is that Mr. Samuel Razo?

16 A Yes.

17 Q Samuel Razo, wasn't he a well-known hoodlum, thug that
18 worked for Caro-Quintero?

19 A When I knew him, he worked for Mr. Ernesto Fonseca.

20 Q As far as you knew, wasn't he a well-known hoodlum
21 that worked for Ernesto Fonseca?

22 MR. CARLTON: Asked and answered, Your Honor.

23 THE COURT: Well, that's a different question. He
24 asked about Qunitero first.

25 THE INTERPRETER: I didn't hear a ruling, Your

1 Honor.

2 THE COURT: What is your question?

3 BY MR. MEDVENE:

4 Q Wasn't Samuel Razo, to your knowledge, a well-known
5 associate of Caro-Quintero?

6 MR. CARLTON: Objection. Calls for speculation,
7 Your Honor, as to whether or not he was "well-known".

8 THE COURT: Yes. Sustained.

9 BY MR. MEDVENE:

10 Q Did Mr. Razo, to your knowledge, in the community have
11 a reputation for being a strong arm man for
12 Caro-Quintero -- excuse me, for Ernesto Fonseca?

13 A When I met him at the Libanes Club, I noticed he was
14 very close to Ernesto Fonseca, sir.

15 Q Now, is the Governor's mansion in Jalisco a public
16 building?

17 A Yes.

18 Q Are you saying that you -- I'm sorry -- are you saying
19 that you and this henchman of Ernesto Fonseca walked in
20 this open building publicly and went to the Governor's
21 office carrying all of this money?

22 A Yes.

23 Q And it was during business hours?

24 A Yes.

25 Q And yet you are saying that Samuel Razo said to you on

1 the way out, "If anybody asks you about this, tell them you
2 don't know anything"?

3 MR. CARLTON: Asked and answered.

4 MR. MEDVENE: I never asked that.

5 MR. CARLTON: The testimony speaks for itself.

6 THE COURT: You may answer.

7 THE WITNESS: What was the question, please?

8 BY MR. MEDVENE:

9 Q You said yesterday --

10 THE COURT: Counsel --

11 MR. MEDVENE: Yes, sir.

12 BY MR. MEDVENE:

13 Q Are you saying that --

14 THE COURT: When you preface a question by, "are
15 you saying," it's immediately an argument.

16 MR. MEDVENE: Yes, sir.

17 THE COURT: He has testified to what he has. You
18 may argue about it later.

19 BY MR. MEDVENE:

20 Q After walking into this public building with the
21 valises of money to the Governor's office, did Samuel Razo
22 say to you, "If anybody asks about this, don't tell them
23 you know anything about it"?

24 A At that time he did tell me so.

25 Q Did you say to him, "Well, Mr. Razo, why are you

1 telling me that because we are in a public building and
2 anybody could see us and they know who you are"?

3 MR. CARLTON: Argumentative, Your Honor.

4 THE COURT: Sustained.

5 BY MR. MEDVENE:

6 Q How much money was in the valise?

7 A It could have been some four or five million dollars.
8 I have no idea exactly.

9 Q Now, generally when Ernesto Fonseca went out, to your
10 knowledge he would have many bodyguards with him; isn't
11 that correct?

12 A Yes.

13 Q How many?

14 A Some 20 to 30 guards.

15 Q But you are saying on this occasion when he was
16 transporting many millions of dollars to the Governor, he
17 just had Mr. Razo and you go?

18 MR. CARLTON: Objection. Argumentative.

19 THE COURT: Well, the form of the question is
20 argumentative.

21 BY MR. MEDVENE:

22 Q Did just you and Mr. Razo go on this occasion to
23 deliver these millions and millions of dollars to the
24 Governor in this public building?

25 A The two of us were armed.

1 Q It was just the two of you?

2 THE COURT: How many times do you have to ask the
3 question?

4 MR. MEDVENE: Yes, sir.

5 BY MR. MEDVENE:

6 Q You talked yesterday about Mascota and the handdrawn
7 maps, and I direct you to that area.

8 Is Mascota, to your knowledge, a rural mountain
9 area?

10 A Yes, sir.

11 Q And the city's in a small valley?

12 A Yes.

13 Q And mountains all around the city?

14 A With a lot of vegetation, wild.

15 Q And certain people, to your knowledge, that grow
16 marijuana grow it in the mountain area; is that correct?

17 A And on the non-mountainous areas, too, sir.

18 Q Now, the day you speak about when you went to Mascota,
19 what month was that?

20 A The month of August. It's the rainy season there.

21 Q So it was what month?

22 A In the month of August.

23 Q And do you remember when you left for Mascota, what
24 time?

25 A At noon, sir.

1 Q What kind of vehicle were you in?

2 A In a black Carry-All Ford.

3 Q Did you stop along the way before getting to the area
4 of Mascota?

5 A Yes.

6 Q Stop for lunch?

7 A No.

8 Q How many stops did you make on your way to Mascota?

9 A Only one, sir.

10 Q Now, the marijuana field you talked about yesterday
11 that you found, was that in the mountains?

12 A Going up a small hill in the flat area, sir.

13 Q And did you see a certain handdrawn map?

14 A Yes.

15 Q That handdrawn map was going to be used for what
16 purpose?

17 A The fields that were going to be destroyed and the
18 ones that would remain standing. The maps had dots and
19 where the ranches were, it was more or less how it was
20 specified on which ranch were the fields.

21 Q And the map was going to be given to certain military
22 commanders who were going to be able to use that map in
23 some way to decide what marijuana fields to destroy, which
24 ones not to destroy?

25 A In such case, their people would find them.

1 Q Now, was there any discussion about the facts since
2 military people were involved they have topographical maps
3 that were a lot more precise than a handdrawn map?

4 A I don't know. I already said that yesterday.

5 MR. MEDVENE: May I approach the witness, Your
6 Honor.

7 THE COURT: For what purpose?

8 MR. MEDVENE: I want to ask the witness if he
9 could draw the handdrawn map that he claims he saw that was
10 going to direct people into the mountains, just as a way to
11 find that out.

12 THE COURT: You may not.

13 BY MR. MEDVENE:

14 Q You talked about a meeting about three weeks after the
15 kidnapping of Enrique Camarena, and you've told us that
16 Caro-Quintero was there; is that correct?

17 A Could you repeat it once again, please.

18 Q You've told us of a meeting about three weeks after
19 the kidnapping of Enrique Camarena, that there was some
20 discussion about moving his body; do you remember that?

21 A Yes.

22 Q And where did that meeting take place?

23 A Could you please repeat the whole question again.

24 Q Where did the meeting take place that you told us
25 about earlier was held approximately three weeks after the

1 kidnapping where there was discussion about moving the body
2 of Enrique Camarena?

3 A That was in the month of March, sir.

4 Q Where did the meeting take place?

5 A In the apartment of Loma Bonita and Rafael Caro was
6 not there.

7 Q Did you tell a representative of the D.E.A. on April
8 8th of 1992 that Caro-Quintero was there?

9 A I don't remember, sir, I told them that he was there.

10 Q To refresh your recollection, sir, would you look at
11 in front of you 404, that's the D.E.A. reports, and in
12 particular Document Number 6497. The document numbers are
13 up at the top. And about six lines down, would you take a
14 look there or wherever you want, and see if that refreshes
15 you as to whether or not you told the D.E.A. agents that
16 Caro-Quintero was present at this meeting?

17 MR. CARLTON: Your Honor, this report is in
18 English.

19 MR. MEDVENE: Oh, could -- I'm sorry -- Ms.
20 Reporter, could you please translate those few lines where
21 it has Caro-Quintero's name.

22 THE INTERPRETER: Counsel, did you say six lines
23 down, starting from the top or from the bottom?

24 MR. MEDVENE: If you would go five lines down, it
25 says, "They then requested."

1 Oh, go from the top. I'm sorry.

2 (Interpreter translates document to witness.)

3 THE INTERPRETER: Up to "apartment"?

4 THE WITNESS: Possibly --

5 BY MR. MEDVENE:

6 Q I'm just asking if that refreshes him as to whether he
7 told the D.E.A. that Caro-Quintero was at this meeting.

8 A Possibly, sir.

9 Q If you said that, you were in error?

10 A Possibly, sir.

11 Q So it is possible he was there, and it is possible he
12 wasn't there; is that what you are saying?

13 A He wasn't there, sir.

14 Q Okay. Did you discuss in the last week or so when you
15 were preparing to testify here, that particular meeting and
16 whether Caro-Quintero was there or not, did you discuss
17 that with anybody?

18 A No.

19 Q Did you have any discussion with anybody where it was
20 said "better not say Quintero was there because there's
21 evidence that he fled from Guadalajara and he couldn't be
22 at such a meeting"?

23 A No.

24 Q With respect to the -- you have told us about a Las
25 Americas meeting.

1 Is that a hotel, the Las Americas a hotel in
2 Guadalajara?

3 A Yes.

4 Q And it's a hotel opened to the public?

5 A Yes.

6 Q Near the Hyatt?

7 A In front of Plaza del Sol.

8 Q Has a main lobby?

9 A Yes.

10 Q Restaurant?

11 A I don't know if it has a restaurant, sir.

12 Q Valet parking?

13 A No.

14 Q Is the director of the Mexican Federal Judicial Police
15 a well known person, to your knowledge, in Guadalajara?

16 A Yes.

17 Q Is the Governor of the State of Jalisco a well known
18 person?

19 A Yes.

20 Q The Secretary of the Interior?

21 A Yes.

22 Q The Minister of Defense?

23 A Yes.

24 Q The General of the 15th Military District?

25 A Yes.

1 Q Are you saying that all of these well known --

2 MR. CARLTON: Objection to the form of the
3 question, Your Honor.

4 THE COURT: Sustained.

5 BY MR. MEDVENE:

6 Q Did you hear anyone discuss whether all of these
7 well-known people should come to a meeting in a public
8 hotel with Caro-Quintero and Felix Gallardo, where everyone
9 would see them together?

10 MR. CARLTON: Objection, Your Honor.
11 Argumentative.

12 THE COURT: Sustained.

13 BY MR. MEDVENE:

14 Q In your work for Ernesto Fonseca, is it correct that
15 during the period you worked with him you would go with him
16 to all meetings he had outside of the office -- strike
17 that.

18 You would go with him to all meetings he had
19 outside of his home?

20 A Yes. When Ernesto Fonseca left, I would leave with
21 him.

22 Q Now, do you remember whether or not there was any
23 baptism meeting, a meeting where a baptism occurred in
24 September of 1984 when you went with Mr. Fonseca?

25 A A baptism?

1 Q Um-um.

2 A No, I don't remember it right now.

3 Q Incidentally, is it correct you have told us about all
4 of the meetings where you claim you were present where the
5 kidnapping of Enrique Camarena was discussed; is that
6 correct?

7 A Yes. Please bear in mind that -- you have to bear in
8 mind, sir, that I also had to go and rest.

9 Q You don't mean now you want to rest? You mean then
10 you wanted to rest?

11 I'm sorry. I don't want to be rude. You don't
12 mean you want to rest now, you mean -- let me keep going,
13 and if you want to stop, you tell me.

14 Is your memory such, sir, that if you had gone to
15 a meeting with Mr. Fonseca in September of 1984 where there
16 was a baptism, you would remember it?

17 A There were baptisms, first communions. I don't know
18 which one you are referring to.

19 Q Do you ever remember going to anybody's baptism with
20 Ernesto Fonseca?

21 A There were so many parties that they would make, sir.

22 Q Do you know whether Javier Barba-Hernandez had any
23 children?

24 A Yes.

25 Q Do you know the names of those children?

1 A No.

2 Q Do you know if any of them were baptized?

3 A I don't know, sir.

4 Q You did not attend any meetings with Mr. Fonseca
5 anywhere where any of Mr. Barba's children were baptized;
6 isn't that correct?

7 MR. CARLTON: Objection to the relevance of this,
8 Your Honor.

9 THE COURT: Sustained.

10 MR. MEDVENE: May we address the Court on that at
11 the break?

12 THE COURT: This is not relevant to the direct
13 examination. If you wish to call this witness as your own
14 witness, you may do so.

15 BY MR. MEDVENE:

16 Q Did you ever attend any meetings with Mr. Fonseca
17 where anyone was married at Javier Barba's house?

18 MR. CARLTON: Beyond the scope.

19 THE COURT: Well, you may answer the question.

20 THE WITNESS: His brother, Jorge Barba, got
21 married at La Quinta in Tonalá.

22 BY MR. MEDVENE:

23 Q Was that in June of 1984?

24 A I don't remember the date, sir.

25 Q Do you know approximately what date it was?

1 A I don't remember exactly, sir.

2 Q Were you present with him on that occasion?

3 A I was with Ernesto Fonseca and we went to a party.
4 There were a lot of parties celebrated.

5 Q You remember any meetings of any kind that occurred at
6 the wedding?

7 A No, sir.

8 MR. MEDVENE: Is this a good time for a break,
9 Your Honor?

10 I can keep going if it's not, sir.

11 THE COURT: How much more do you have with this
12 witness?

13 MR. MEDVENE: I would say probably about a half an
14 hour, sir.

15 THE COURT: We'll take our afternoon recess at
16 this time.

17 (Jury out.)

18 THE CLERK: You may be seated.

19 THE COURT: You wanted to take up something with
20 the Court?

21 MR. MEDRANO: May we excuse the witness, Your
22 Honor.

23 THE COURT: Yes, he's excused.

24 MR. MEDVENE: What it dealt with, Your Honor, was
25 the -- Mr. Servantes.

1 THE COURT: I know about that. I know all about
2 that.

3 MR. MEDVENE: I'm sorry.

4 THE COURT: But it hasn't been gone into on direct
5 examination, and the questions you were asking were
6 misleading.

7 MR. MEDVENE: All right, sir.

8 THE COURT: They were inconsistent with the
9 evidence that I heard in the last trial. That is to say
10 that both those events which were testified to by Servantes
11 occurred at church, and the party occurred at the home.
12 And you were asking this witness if he ever attended a
13 baptism at somebody's home, at Barba's home, and a wedding
14 at Barba's.

15 My recollection of the testimony previously was
16 that these events occurred at the church and the party
17 afterward occurred at the home.

18 MR. MEDVENE: All right, Your Honor.

19 THE CLERK: Please rise.

20 (Recess had.)

21 THE COURT: You requested this conference outside
22 the presence of the jury?

23 MR. MEDVENE: There was one matter, Your Honor,
24 that you said you wanted to take up at a break.

25 THE COURT: Oh, yes, but you didn't ask about it

1 when we adjourned.

2 MR. MEDVENE: I forgot about it.

3 THE COURT: Now, you asked this witness about the
4 name of this individual or the identity. Why do you need
5 to know that? How is it relevant to this case?

6 MR. MEDVENE: Well, we want to see if it -- how,
7 if at all, it ties to who the individuals are that are
8 supplying witnesses to the D.E.A., and we want to try to
9 determine did this man ever work with that person before or
10 how well did they know him so that we can try to determine
11 why wouldn't they have gone to him before or why would that
12 person have gone to him before, why did they wait for eight
13 years before the fellow makes this contact.

14 THE COURT: I don't see how the identity of the
15 individual will help you to determine that. You heard what
16 this man said about the possibility of endangering this
17 person. Is that something that you don't care about?

18 MR. MEDVENE: No, of course, I care about it.
19 It's just if there is a factual basis to it, Your Honor.

20 THE COURT: Well, we can get into that, but I
21 haven't heard any reason to allow the identification. In
22 fact, how this person got to the D.E.A. is really not that
23 relevant. He did get there. He has told you that it was a
24 person. I think that's sufficient.

25 Bring the jury in.

1 (Jury in.)

2 THE COURT: You may proceed.

3 BY MR. MEDVENE:

4 Q Mr. Godoy, did you tell the D.E.A. on April 7th of
5 1992, that the Las Americas meeting occurred around October
6 or November of 1984?

7 A Yes.

8 Q Incidentally, the Mascota trip that you had talked
9 about earlier, where you left at noon, about what time did
10 you get from Mascota?

11 A The same, noon, sir.

12 Q You left around noon and what time did you return?

13 THE COURT: You mean arrived?

14 BY MR. MEDVENE:

15 Q Arrived back in Guadalajara?

16 A Around 10:00, 11:00 p.m.

17 Q Okay. Getting back to Las Americas meeting, is it
18 your best recollection that the meeting occurred in
19 November of 1984?

20 A It was from September to October, sir.

21 Q Were you incorrect when you told the D.E.A. it was
22 October or November of 1984?

23 A Yes.

24 Q The second meeting that you testified about, the
25 meeting at Ernesto Fonseca's home, you told the D.E.A. that

1 occurred in the latter part of November of 1984; is that
2 correct?

3 A Yes.

4 Q Was that correct when you told them that?

5 A It was approximately.

6 Q The third meeting at Tonalá, you told the D.E.A. was
7 late November or early December of 1984; is that right?

8 A Approximately.

9 Q And that was correct?

10 A More or less it was those dates.

11 Q And the last meeting, what we call the office meeting,
12 you told the D.E.A. that was sometime later in December of
13 '84?

14 A More or less it was at the beginning.

15 Q Of December of '84?

16 A Yes.

17 Q Isn't it true, sir, that you were not working for
18 Ernesto Fonseca, according to your testimony today, in
19 November or December of 1984 or January of 1985?

20 A Approximately.

21 Q And when were you home, as you told us you were,
22 because of your bad back, during that period you did not
23 work for Ernesto Fonseca, did you?

24 A No.

25 Q How long after the meeting at Tonalá did the meeting

1 at the office take place?

2 A It was sequentially, sir, maybe a week, a week and a
3 half.

4 Q What differences were discussed in the meeting you
5 claimed occurred a week later than was discussed a week
6 earlier?

7 MR. CARLTON: Objection. Calls for a narrative
8 response, Your Honor. It's an ambiguous question.

9 THE COURT: Well, the witness may identify any
10 differences that he observed in the one meeting from
11 another with respect to what was discussed.

12 THE WITNESS: It was the same subject, the D.E.A.
13 agent, sir.

14 BY MR. MEDVENE:

15 Q But could you observe from what was said, that you
16 claim you heard if there was this fourth meeting, why it
17 was necessary, what was it you claimed said that was
18 different than what was said at the third meeting?

19 MR. CARLTON: Ambiguous. Speculation.

20 THE COURT: Sustained.

21 BY MR. MEDVENE:

22 Q Is it correct, sir, at this so-called office meeting,
23 the last meeting that you say occurred in December, that
24 Mr. Aldana said that he was -- strike that.

25 That Mr. Aldana said that he was trying to get the

1 information on who the D.E.A. agent was?

2 A Yes.

3 Q And Ernesto Fonseca, was he also saying he was trying
4 to get the information on who the agent was?

5 A Could you repeat the question, please.

6 Q I will repeat it.

7 Did Alvarez del Castillo, according to you, say
8 that he was working on getting the information who the
9 agent was?

10 A No.

11 Q Did you tell the D.E.A. that Mr. Zuno said to
12 Mr. Aldana, "Why haven't you provided them with details?"
13 And Aldana said he had people working on trying to find out
14 who the agent was?

15 MR. CARLTON: Objection. Misstates the report, if
16 that is what you are reading from.

17 THE COURT: Well, I don't know if that's what he's
18 reading. That was the question. The witness may answer.

19 THE WITNESS: Would you repeat it again, please.

20 BY MR. MEDVENE:

21 Q Yes. And I direct your attention, sir, to --

22 THE COURT: Just ask the question.

23 MR. MEDVENE: Yes, sir.

24 BY MR. MEDVENE:

25 Q Did you tell the D.E.A. that Mr. Zuno was directing

1 his conversation to Mr. Aldana and said, "You, too, Aldana,
2 why haven't you provided them with the correct details,"
3 and that Aldana replied he already had some of his people
4 working on trying to find who the agent was?

5 THE COURT: The question is: Did you make that
6 statement to the D.E.A.?

7 THE WITNESS: Yes.

8 BY MR. MEDVENE:

9 Q And was that a truthful statement of what you claim
10 you heard?

11 A Yes.

12 Q Now, again on that third meeting, the one on Tonalá,
13 again was the general subject of that meeting trying to
14 identify who this D.E.A. agent was so he could be
15 kidnapped?

16 A Yes.

17 Q And you told the D.E.A., did you not, that at that --
18 at this third meeting at Tonalá, it was agreed by everybody
19 that the D.E.A. agent should be identified and located so
20 he could then be kidnapped?

21 A Yes.

22 Q That was correct what you claim you heard?

23 A Yes.

24 Q At the second meeting, the meeting at Ernesto
25 Fonseca's house, did you tell the D.E.A. that Caro-Quintero

1 said that it was his understanding Alvarez del Castillo's
2 people where to identify and locate the agent so that
3 Quintero and Fonseca could pick him up?

4 A Yes.

5 Q And was that said?

6 A Yes.

7 Q And Alvarez del Castillo said he was attempting to
8 identify who the agent was?

9 A Yes.

10 Q And Caro-Quintero told Alvarez del Castillo they
11 needed the identification of the agent to locate him and
12 pick him up?

13 A Yes.

14 Q Sir, isn't it correct that at the first meeting,
15 before any of these meetings took place, where there was
16 discussion about who the agent was so we can pick him up,
17 at the first meeting didn't Mr. Aldana, according to you,
18 say, "I know who the agent is because I tried to bribe him
19 and he wouldn't accept my bribe"?

20 A Yes. And Aldana was just making fun of everybody
21 there.

22 Q So you are saying Mr. Aldana said at the first meeting
23 he knew who the agent was because he tried to bribe him,
24 and then it is your testimony that the next three meetings
25 everybody's talking about who is the agent?

1 MR. CARLTON: Objection. Improper question.
2 Argumentative.

3 MR. MEDVENE: All right, Your Honor. I will
4 withdraw the question.

5 THE COURT: Do you know that you move from left to
6 right and then back again as you ask a question?

7 MR. MEDVENE: No, sir, see, I go from left to
8 right sometimes. I will try to stay right in the middle,
9 sir.

10 BY MR. MEDVENE:

11 Q Did anybody say at the second, third or fourth
12 meeting, when there was, according to you, discussion about
13 how do we identify this agent and how do we find out who he
14 is so we can kidnap him, did anybody say, "Mr. Aldana,
15 don't you really know who he is and are you keeping it from
16 us?" Did anybody say anything like that?

17 A I don't know, sir.

18 Q Isn't it true, sir, that as early as May of 1984, six
19 months or so before any of these meetings, Mr. Aldana knew
20 that --

21 MR. CARLTON: Objection. Lack of foundation.

22 BY MR. MEDVENE:

23 Q -- that Enrique Camarena was involved in the Zacatecas
24 raid?

25 THE COURT: The objection is sustained.

1 BY MR. MEDVENE:

2 Q Did you, in the course of being with Mr. Fonseca, ever
3 attend any meeting, where there was a discussion with
4 Mr. Fonseca and anybody else, about whether Mr. Aldana and
5 Enrique Camarena and Jamie Kuykendall in May of '84
6 discussed the fact that there was going to be a raid on
7 Zacatecas?

8 THE INTERPRETER: Excuse me, Counsel. A raid
9 where?

10 MR. MEDVENE: On Zacatecas.

11 THE WITNESS: I don't know, sir.

12 MR. MEDVENE: May I approach the witness just for
13 one question, Your Honor. I just want to show him an
14 exhibit.

15 THE COURT: What exhibit?

16 MR. MEDVENE: 19-A, 173, it's right next to him.

17 THE COURT: The clerk will.

18 MR. MEDVENE: Sure. Madam Clerk, would you just
19 show the witness 19-A.

20 May I approach, Judge.

21 THE COURT: Go ahead.

22 BY MR. MEDVENE:

23 Q Would you show 19-A, with the Court's permission, to
24 the jury, sir. It's in evidence. Just hold it up and show
25 it to the jury.

1 THE COURT: Do you have a question regarding this
2 exhibit?

3 MR. MEDVENE: Yes, sir.

4 BY MR. MEDVENE:

5 Q You identified that exhibit yesterday 19-A as Rene
6 Lopez-Romero. Isn't that actually Caro-Quintero,
7 Mr. Godoy?

8 A No. I don't know, sir.

9 Q Would you show that -- with the Court's permission,
10 would you show that 19-A to the jury, please.

11 THE COURT: Hold it up. The witness may hold it
12 up. Hold it up for the jury.

13 MR. MEDVENE: Thank you very much. Nothing
14 further.

15 THE COURT: Do you have any questions?

16 MR. RUBIN: Yes, Your Honor.

17 MR. MEDVENE: May the record reflect that 19-A is
18 a picture of Caro-Quintero, Your Honor?

19 THE COURT: Say again?

20 MR. MEDVENE: May the record reflect that 19-A is
21 a picture of Caro-Quintero?

22 THE COURT: Well, I don't know. Whatever.

23 MR. MEDVENE: Okay.

24 THE COURT: I don't know how it's been identified
25 by the witnesses.

1 MR. MEDVENE: It has been identified.

2 THE COURT: Well, it if has, then the record
3 already shows that.

4 MR. MEDVENE: Okay, sir.

5 THE COURT: All right.

6 CROSS-EXAMINATION

7 BY MR. RUBIN:

8 Q Mr. Godoy, when this unnamed person contacted you in
9 July of 1991, was that before or after you had been
10 arrested for armed robbery?

11 A After.

12 Q Were you in jail when he called you, he or she called
13 you?

14 A I had been released, sir.

15 Q And at that time, in addition to the money and the
16 work permit that this person told you was available to you
17 and would be given to you by the U.S. government if you
18 cooperated, did they also tell you about immunity for your
19 activities as a member of the drug trafficking Cartel?

20 A Could you repeat that, please.

21 Q This person told you that money was available if you
22 would cooperate; true?

23 A No --

24 THE COURT: Counsel, why don't you just ask a
25 question instead of reciting what's already been testified

1 to.

2 You're asking him the question if he was promised
3 immunity from prosecution if he cooperated?

4 MR. RUBIN: Yes.

5 THE COURT: Ask the question.

6 BY MR. RUBIN.

7 Q Sir, at that time did the person also indicate to you
8 that immunity from prosecution was available to you?

9 A No.

10 Q Sir, isn't it true that the reason you agreed to
11 testify -- cooperate and testify is because the government
12 is giving you money, a work permit, and immunity from
13 prosecution?

14 A Can you repeat the question, again, sir.

15 Q Isn't it true that the reason you agreed to cooperate
16 with the government and testify is because the government
17 is giving you money, a work permit and immunity from
18 prosecution?

19 A In the first place, when I accepted coming here, was
20 to clarify our responsibilities. And in the second place,
21 I was going to live here.

22 Q Now, so the government promised you that you could
23 live here if you came here; true?

24 A It's logical, sir, if I was going to come here, I was
25 going to live here.

1 Q Well, my question to you was: Is the reason you came
2 here to live here and cooperate and testifying was it
3 because of the money, the immunity, the work permit, and
4 the residence that they were going to give you? Yes or no.

5 A It wasn't based on promises, sir.

6 Q Well, but you knew you were going to get that, didn't
7 you?

8 A Yes.

9 Q It's true, is it not, that you didn't come here, you
10 didn't agree to cooperate with the government and testify
11 out of some sense of moral obligation to justice, did you?

12 A Can you repeat that again, please.

13 Q It's true, isn't it, that you didn't come here to
14 cooperate and testify because out of some sense of moral
15 obligation to justice?

16 A Yes.

17 Q Now in 1985, '86, '87, '88, '89 and '90, no one had
18 promised you money or immunity and a work permit to come
19 and cooperate and testify with the government; true?

20 Well, let me put that in the affirmative so we
21 don't get mixed up.

22 In those years, from 1990 --

23 THE COURT: Counsel, that's just asking a question
24 for the purpose of asking a question. This witness has
25 testified when all of this started, and it's consistent

1 with your question, so why ask it?

2 MR. RUBIN: Well, I don't know if we had gotten
3 into that before, Your Honor, that he had prior offers.

4 THE COURT: Well, ask him if he had prior offers.

5 MR. RUBIN: I was trying to rephrase it into the
6 affirmative.

7 BY MR. RUBIN:

8 Q In 1985 to 1990, had any person unnamed or D.E.A.
9 agent, offered you any immunity, money, or a work permit to
10 come and cooperate with the government?

11 A I came knowing what had happened to Juan Raul
12 Lopez-Alvarez, and I had made up my mind to come to
13 anything, sir.

14 Q Did you feel bad about what had happened to Raul
15 Lopez-Alvarez?

16 A That depends on each individual, sir.

17 Q Well, you just testified that you came because of what
18 happened to him. What had happened?

19 A I came with the idea in mind that I could have the
20 same happen to me as has happened to them.

21 Q Who do you mean by "them"?

22 A Juan Bernabe and Raul Lopez-Alvarez.

23 Q They had been convicted of crimes here?

24 A Yes.

25 Q And you knew that; true?

1 A Yes.

2 Q You were afraid that you would get convicted of
3 crimes; true?

4 A Yes.

5 Q And so you came here in order for your own self
6 interest to get a deal from the government for immunity so
7 you wouldn't be prosecuted for crimes; isn't that correct?

8 A Well, those are personal decisions, sir.

9 Q And, sir, I will ask you again: Isn't it true that
10 the reason you agreed to cooperate and testify was out of
11 your own self interest because you were afraid the
12 government would prosecute you and you would be convicted
13 of the same crimes?

14 A At that time, sir, I was morally finished because I
15 had come from out of there and I wanted to for my life to
16 come to a decision.

17 Q It wasn't out of fear of being prosecuted, it was out
18 of some kind of moral decision you had made?

19 A That's right, sir.

20 Q And you hadn't made that moral decision before these
21 other two people had been convicted, did you?

22 MR. CARLTON: Objection, Your Honor. Irrelevant.

23 THE COURT: It's also asked and answered.

24 BY MR. RUBIN.

25 Q When did you have this moral reawakening that you felt

1 you had to clear things up?

2 A When I was released from the jail in Guadalajara, sir.

3 Q Something happened in the jail in Guadalajara that
4 made you come to this moral decision?

5 A When I got picked up, they tortured me a lot, sir.
6 And asking me what I know about him, and what else I knew
7 about the traffickers in Mexico. And since I didn't reply
8 anything of that nature, that's why they beat me up and
9 they locked me up, sir.

10 Q And in 1991, they beat you up, and in 1985 they beat
11 you up when you made this statement?

12 Was it a common practice of Mexican police to just
13 beat up everybody they arrested, to your knowledge?

14 A Depending on the case, sir.

15 Q When you were a police officer twice, did you beat up
16 people who you arrested?

17 MR. CARLTON: Objection, Your Honor. Irrelevant.

18 THE COURT: Sustained.

19 BY MR. RUBIN:

20 Q At any time in your entire life, have you ever earned
21 the equivalent of \$3,000 American dollars per month?

22 A No.

23 Q And to get this \$3,000 a month from the government, do
24 you have to do any kind of work, other than testifying in
25 this case?

1 A I don't know, sir.

2 Q When you were in Mexico, what kind of house did you
3 live in?

4 A A modest one.

5 Q Is it fair to say that the kind of house you live in
6 now has improved substantially over what you lived in in
7 Mexico?

8 MR. CARLTON: Objection, irrelevant, Your Honor.

9 THE COURT: What is it?

10 MR. CARLTON: Irrelevant.

11 THE COURT: Overruled.

12 THE WITNESS: It's better here, sir.

13 BY MR. RUBIN:

14 Q It's fair to say, is it not, that the \$3,000 per month
15 that you receive from the government has made a substantial
16 improvement in your standard of living from what it was in
17 Mexico; isn't that true?

18 A I'm going to be honest with you, I have four children
19 and a wife and I have to pay rent.

20 Q Sir, my question to you was: Isn't it true that the
21 \$3,000 a month that you receive from the government for
22 your testimony has made a substantial improvement in the
23 standard of living that you live now as opposed to when you
24 lived in Mexico?

25 A Some.

1 Q Now, before you agreed to cooperate and testify, did
2 you have an understanding as to what the potential
3 penalties, criminal penalties might be for you personally
4 if the Government of the United States prosecuted you for
5 your crimes that you committed when you worked for Ernesto
6 Fonseca?

7 A Yes.

8 Q And what was your understanding of that?

9 A That if I came here to lie, I was going to be locked
10 up, sir.

11 Q Sir, isn't it true that if you didn't cooperate and
12 testify for the government, and they prosecuted and
13 convicted you for your crimes, you could face many, many
14 years in a United States prison?

15 A I don't know.

16 Q You were a police officer, sir. You don't know what
17 the --

18 THE COURT: You are arguing with the witness.

19 BY MR. RUBIN:

20 Q As a police officer, did you know what -- that jail
21 was a possibility for people involved in drug trafficking?

22 MR. CARLTON: Objection, irrelevant, Your Honor.

23 THE COURT: The objection is sustained.

24 BY MR. RUBIN:

25 Q Did the immunity from prosecution that you received,

1 did you request that from the government or did they just
2 offer that to you as part of the deal?

3 A They offered it to me, sir.

4 Q Did you ever tell them you didn't need it or it was
5 unnecessary to you?

6 A Yes, I told Mr. Berrellez.

7 Q And but he insisted that you take it?

8 A He took me to Mr. Carlton.

9 Q And Mr. Carlton insisted that you take immunity, even
10 though you said you didn't want it or need it?

11 A I didn't ask any further, sir. They gave it to me.

12 Q Now, you gave a statement to the D.E.A. initially on
13 August 30th of 1991.

14 At that time, did you mention Dr. Machain in any
15 way?

16 A I don't remember, sir.

17 Q On September 3rd, the next meeting, did you mention
18 Dr. Machain in any way?

19 A I don't remember it, sir.

20 Q Now, you understood at these meetings that the purpose
21 of these meetings was that the government was trying to get
22 as much information as they could about the drug
23 trafficking in Guadalajara and what happened to Agent
24 Camarena; true?

25 A They asked a lot of questions.

1 Q You understood that they wanted to get as much
2 information as possible; also true?

3 A Yes.

4 Q And on October 7th of 1991, they showed you a lot of
5 photographs, did they not?

6 A Yes.

7 Q Is it fair to say there were about 245 photographs
8 they showed you?

9 A There were a lot.

10 Q And in that meeting the only thing you said about
11 Dr. Machain was that was a picture of him; isn't that
12 right?

13 A It was several. From several persons that I looked at
14 the photographs.

15 Q Okay. But with regard to Dr. Machain, the only thing
16 you said about the photograph of Dr. Machain is, "That's
17 Dr. Machain; isn't that right?"

18 A Yes.

19 Q And the following day, the agents went into more
20 detail about the photographs, and again asked you about
21 Dr. Machain; isn't that true?

22 A Could we have that again, please.

23 Q The following day, on October 8th of 1991, the agents
24 went through the photographs again to get more details
25 about the people you identified; isn't that correct?

1 A They showed me several pictures again.

2 Q Were they the same pictures that you had seen the day
3 before?

4 A Yes.

5 Q And at that time when you were being questioned the
6 second time about Dr. Machain, you never told the agents
7 that you met him with Fonseca, did you?

8 A I was just identifying the names of all the persons I
9 knew.

10 Q Sir, my question to you was: Was that interview on
11 October 8th of 1991, when you identified Dr. Machain, did
12 you ever tell the agents that you met him with
13 Fonseca-Carrillo?

14 A Yes.

15 Q At that meeting on October 8th of 1991, did you tell
16 the agents that Fonseca-Carrillo had given Dr. Machain a
17 bag of cocaine?

18 A Yes.

19 Q At that meeting on October 8th of 1991, did you ever
20 tell the agents that you saw Dr. Machain at La Bajadita
21 giving serum?

22 THE INTERPRETER: Giving what, Counsel?

23 MR. RUBIN: Serum, S-E-R-U-M.

24 THE WITNESS: Yes.

25 BY MR. RUBIN:

1 Q And did you ever tell them at that interview that you
2 saw him injecting vitamins?

3 A First he put the IV needle.

4 Q Sir, my question to you is --

5 MR. RUBIN: Your Honor, move to strike as
6 non-responsive. He's not answering the question.

7 THE COURT: Restate your question.

8 BY MR. RUBIN.

9 Q Sir, my question to you is: At the meeting on October
10 8th of 1991, did you ever tell the D.E.A. agents that you
11 saw Dr. Machain inject vitamins?

12 A Yes.

13 Q At that meeting on October 8th of 1991, did you tell
14 the agents that you saw Dr. Machain at a party at the
15 Horseshoe Ranch?

16 A Yes.

17 Q Did you tell him at the meeting that you saw him
18 changing gauze at some apartment some time?

19 A In the one at Loma Bonita.

20 Q Did you tell them about that meeting on October 8th?

21 A I don't remember the dates, sir, but I did tell them.

22 Q Well, my question to you was: Do you remember telling
23 them on October 8th?

24 A I don't remember the exact date.

25 Q With regard to the other statements that you told them

1 about, did you tell them that on October 8th, "I want to
2 make sure I'm not confused about the dates here"?

3 A I don't remember.

4 Q So you are not sure. Now you are not sure whether you
5 told them on October 8th of 1991?

6 A I don't remember the date.

7 Q In fact, isn't it true, sir, that at that meeting on
8 October 8th, you didn't tell the agents any of those things
9 that I just went through, did you?

10 A I don't know.

11 Q Sir, now, you also had interviews with agents on
12 October 22nd, '91; April 7th, 1992; April 8, 1992; April
13 9th, 1992; April 10th, 1992; and April 12th, 1992; is that
14 true? Does that sound correct to you?

15 A There were several meetings.

16 Q Isn't it true that at those meetings you never told
17 the agents about Fonseca, the bag of cocaine, giving
18 injection of vitamins and serum, and all of the other
19 things I've just asked you about?

20 A I had told them, sir. And dates I don't remember
21 exactly.

22 Q Now, do you recall the date that you actually told
23 them any of these things?

24 MR. CARLTON: Objection. Asked and answered, Your
25 Honor.

1 THE COURT: Sustained.

2 MR. RUBIN: Now, may I have one moment, Your
3 Honor.

4 (Pause in proceedings.)

5 BY MR. RUBIN:.

6 Q When Fonseca gave Dr. Machain the bag of cocaine, that
7 you claim, did Dr. Machain use it?

8 A Yes.

9 Q So you saw him reach into the bag of cocaine and use
10 it in front of you?

11 A I was on one side, sir. They were talking on one
12 side.

13 Q Were they smoking the cocaine or were they snorting
14 the cocaine?

15 A Snorting.

16 Q And did you partake of the cocaine at that time?

17 A No, sir.

18 Q Sir, the time you were with Mr. Fonseca, did you ever
19 partake of cocaine?

20 A They wouldn't allow it, sir, because we had to be
21 alert in order to take care of them.

22 Q Now, it is true, is it not, that Fonseca took vitamin
23 shots; true?

24 A It is true.

25 Q And he'd take those vitamin shots only after he got

1 drunk or did he take them regularly?

2 A When he would get drunk.

3 Q Now, when you first met Dr. Machain, what city was
4 that in?

5 A In Guadalajara, Jalisco, excuse me. Guadalajara and
6 Zapopan are right next to each other. And it was in the
7 municipality of the City of Zapopan.

8 Q And when you went -- when you first saw doctor -- met
9 Dr. Machain, were you going to his house with Mr.
10 Fonseca-Carrillo?

11 A Yes.

12 Q Dr. Machain's house?

13 A Since I didn't move into his house.

14 Q My question is -- I want to be clear -- my question to
15 you is this: When you first met Dr. Machain with Fonseca,
16 did you meet him -- did you meet Dr. Machain at
17 Dr. Machain's house?

18 A Outside in the street.

19 Q Was it in the street outside of his house?

20 A Yes.

21 Q What was the name of that street?

22 A I don't remember the name.

23 Q Do you remember the name of any nearby street where
24 that occurred?

25 A It's in the University area.

- 1 Q Could you describe Dr. Machain's house at that time?
- 2 A I don't remember it exactly, sir. Only the outside.
- 3 Q Well, do you remember what color the outside was?
- 4 A I don't remember it, sir.
- 5 Q Do you remember whether it was a two-story house or a
- 6 one-story house?
- 7 A It had gates, sir.
- 8 Q Do you recall what kind of gates?
- 9 A No.
- 10 Q This house was near a house that Mr. Fonseca-Carrillo
- 11 was building; is that correct?
- 12 A Yes, sir. See, sir, on one side.
- 13 Q Now, on the occasion that you saw Dr. Machain inject
- 14 vitamins into Ernesto Fonseca after his drinking binge --
- 15 first of all, how did you know that they were vitamins?
- 16 A They would leave the vials and wanted me to pick them
- 17 up to throw them away.
- 18 Q And the vials said vitamins on them?
- 19 A From Germany.
- 20 Q Did they say what was in the vial on them? What was
- 21 the name that told you these were vitamins?
- 22 A I don't remember it exactly.
- 23 Q Do you recall what day this happened, what date?
- 24 A I don't recall exactly what day.
- 25 Q Do you remember what month?

1 A It was in 1984. I don't remember the month exactly,
2 sir.

3 Q Would you tell me the date of the party at the
4 Horseshoe Ranch where you saw Dr. Machain?

5 A October, November, sir.

6 Q Of what year?

7 A 1984.

8 Q Do you remember the date?

9 A No. No, I don't remember them.

10 Q Now, you know Rene Lopez-Romero, do you not?

11 A Yes.

12 Q He was a colleague of yours; true?

13 A Yes.

14 Q Both were bodyguards for Mr. Fonseca; true?

15 A Yes.

16 Q Was he a friend of yours?

17 A Yes.

18 Q Close friend?

19 A No.

20 Q I wasn't clear on some testimony you gave, but did you
21 ever share an apartment with him or live with him?

22 A No.

23 Q Prior to testifying today, have you discussed your
24 testimony with Mr. Lopez-Romero?

25 A No.

1 Q Did you ever discuss with him your decision to testify
2 and cooperate with the government?

3 A No.

4 Q Now, in the meetings that Mr. Medvene talked about
5 with you, where you met with the government before
6 testifying today, at those meetings did you also discuss
7 Dr. Machain with the government lawyers and agents, as well
8 as Mr. Zuno-Arce?

9 A Yes.

10 Q And it's fair to say that the government told you what
11 questions they might be asking or what areas they would be
12 going into on your direct testimony?

13 A Can you repeat that, please.

14 Q During those meetings, did the government go over the
15 questions that they might be asking you in court?

16 A Yes. They asked me several times.

17 Q And you gave your answer to them?

18 A Yes.

19 Q And you practiced your testimony?

20 A No.

21 Q Sir, when you were a police officer, did you ever make
22 deals with informants for cooperation and testimony?

23 MR. CARLTON: Objection. Irrelevant.

24 THE COURT: Sustained.

25 BY MR. RUBIN:

1 Q Sir, it's true, isn't it, that you understand that
2 unless -- strike the question.

3 Mr. RUBIN: One moment, Your Honor. Let me check
4 my notes.

5 (Counsel confers with client.)

6 MR. RUBIN: No further questions.

7 Thank you, Your Honor.

8 THE COURT: Do you have any redirect of this
9 witness?

10 MR. CARLTON: Yes.

11 REDIRECT EXAMINATION

12 BY MR. CARLTON:

13 Q Mr. Godoy, when you crossed the border into the United
14 States in 1991 did you know whether you would be arrested?

15 MR. MEDVENE: Objection.

16 THE COURT: Overruled.

17 THE WITNESS: Possibly, yes.

18 BY MR. CARLTON:

19 Q Why did you take that chance?

20 A Because in Mexico they had me from once place to the
21 other. They would blame me for the drug traffickers for
22 the government. And everybody told me to go straight. And
23 I had already seen all the people that had been released
24 from jail in 1985. That they killed La Petunia and --

25 MR. MEDVENE: Objection, non-responsive.

1 THE COURT: This is going far beyond the question.
2 Ask another question.

3 BY MR. CARLTON:

4 Q Did you stop working for Ernesto Fonseca in mid
5 December of 1984?

6 THE COURT: Just a moment. We are not here to
7 repeat the direct examination.

8 BY MR. CARLTON:

9 Q Mr. Godoy, would you please look at what has been
10 marked as Exhibit 177.

11 A Yes.

12 Q What is that photograph?

13 A It is me.

14 Q When was that photograph taken, do you know?

15 A When they took me from Puerto Vallarta to the City
16 Attorney's office.

17 Q Was that photograph made after your interrogation?

18 A Yes.

19 MR. CARLTON: Move the admission of 177, Your
20 Honor.

21 THE COURT: It may be admitted.

22 (Exhibit 177 received in evidence)

23 BY MR. CARLTON:

24 Q When you came into the United States did you know that
25 you would be paid any money?

1 A Yes.

2 Q Did you know that you would be given any immunity?

3 A No.

4 MR. BLANCARTE: Objection; that mischaracterizes
5 the testimony.

6 THE COURT: Overruled.

7 BY MR. CARLTON:

8 Q During the time that you worked for Ernesto Fonseca
9 was there a period that you went back to your house?

10 A Yes.

11 MR. MEDVENE: Objection.

12 THE COURT: Sustained.

13 I am going to terminate your redirect here unless
14 you have something raised during the cross-examination.

15 MR. CARLTON: That did come up during the
16 cross-examination, Your Honor.

17 (Government counsel confer)

18 MR. CARLTON: Nothing further.

19 MR. MEDVENE: No questions.

20 MR. RUBIN: No questions.

21 THE COURT: You may step down.

22 We will adjourn at this time and reconvene this
23 case tomorrow morning at 9:30.

24 The jury will keep in mind the admonition that I
25 have repeated to you throughout the trial, and follow those

1 please.

2 (Proceedings adjourned.)

3 * * * * *

4 I, MARY TUCKER, CSR, do hereby certify that
5 the foregoing transcript is true and correct.
6

7 Mary Tucker
8

6-17-93

9 MARY TUCKER, CSR

DATE